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American Statesmen

EDITED BY

JOHN T. MORSE, JR.

American Statesmen

MARTIN VAN BUREN

BY

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EDWARD M. SHEPARD

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PREFACE TO THE REVISED EDITION

SINCE 1888, when this Life was originally published, the history of American Politics has been greatly enriched. The painstaking and candid labors of Mr. Fiske, Mr. Adams, Mr. Rhodes, and others have gone far to render unnecessary the *caveat* I then entered against the unfairness, or at least the narrowness, of the temper with which Van Buren, or the school to which he belonged, had thus far been treated in American literature, and which had prejudicially misled me before I began my work. Such a *caveat* is no longer necessary. Even now, when the political creed of which Jefferson, Van Buren, and Tilden have been chief apostles in our land, seems to suffer some degree of eclipse, — only temporary, it may well be believed, but nevertheless real, — those who, like myself, have undertaken to present the careers of great Americans who held this faith need not fear injustice or prejudice in the field of American literature.

In this revised edition I have made a few corrections and added a few notes; but the generous treatment which has been given to the book has confirmed my belief that historic truth requires no material change.

A passage from the diary of Charles Jared Ingersoll (Life by William M. Meigs, 1897) tempts me, in this most conspicuous place of the book, to emphasize my observation upon one injustice often done to Van Buren. Referring, on May 6, 1844, to his letter, then just published, against the annexation of Texas, Mr. Ingersoll declared that, in view of the fact that nearly all of Van Buren's admirers and most of the Democratic press were committed to the annexation, Van Buren had committed a great blunder and become *felo de se.* The assumption here is that Van Buren was a politician of the type so painfully familiar to us, whose sole and conscienceless effort is to find out what is to be popular for the time, in order, for their own profit, to take that side. That Van Buren was politic there can be no doubt. But he was politic after the fashion of a statesman and not of a demagogue. He disliked to commit himself upon issues which had not been fully discussed, which were not ripe for practical solution by popular vote, and which did not yet need to be decided. Mr. Ingersoll should have known that the direct and simple explanation was the true one, — that Van Buren knew the risk and meant to take it. His letter against the annexation of Texas, written when he knew that it would probably defeat him for the presidency, was but one of several acts performed by him at critical periods, wherein he deliberately took what seemed the unpopular side in order to be true to his sense of political and patriotic duty. The crucial tests of this kind through which he successfully passed must, beyond any doubt, put him in the very first rank of those American statesmen who have had the rare union of political foresight and moral courage.

EDWARD M. SHEPARD.

January, 1899.

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MARTIN VAN BUREN

CHAPTER I

AMERICAN POLITICS WHEN VAN BUREN'S CAREER BEGAN. — JEFFERSON'S INFLUENCE

It sometimes happened during the anxious years when the terrors of civil war, though still smouldering, were nearly aflame, that on Wall Street or Nassau Street, busy men of New York saw Martin Van Buren and his son walking arm in arm. "Prince John," tall, striking in appearance, his hair divided at the middle in a fashion then novel for Americans, was in the prime of life, resolute and aggressive in bearing. His father was a white-haired, bright-eyed old man, erect but short in figure, of precise though easy and kindly politeness, and with a touch of deference in his manner. His presence did not peremptorily command the attention of strangers; but to those who looked attentively there was plain distinction in the refined and venerable face. Passers-by might well turn back to see more of the two men thus affectionately and picturesquely together. For they were famous characters, — the one in the newer, the other in the older politics of America. John Van Buren, fresh from his Free Soil battle and the tussles of the Hards and Softs, was striving, as a Democrat, to serve the cause of the Union, though conscious that he rested under the suspicion of the party to whose service, its divisions in New York now seemingly ended, he had reluctantly returned. But he still faced the slave power with an independence only partially abated before the exigencies of party loyalty. The ex-President, definitely withdrawn from the same Free Soil battle, a struggle into which he had entered when the years were already heavy upon him, had survived to be once more a worthy in the Democratic party, again to receive its formal veneration, but never again its old affection. In their timid manœuvres with slavery it was perhaps with the least possible awkwardness that the northern Democrats sought to treat him as a great Democratic leader; but they did not let it be forgotten that the leader was forever retired from leadership. While the younger man was in the thick of political encounters which the party carried on in blind futility, the older man was hardly more than an historical personage. He was no longer, his friends strove to think, the schismatic candidate of 1848, but rather the ally and friend of Jackson, or, better still and further away, the disciple of Jefferson.

For, more than any other American, Martin Van Buren had succeeded to the preaching of Jefferson's political doctrines, and to his political power as well, that curious and potent mingling of philosophy, statesmanship, and electioneering. The Whigs' distrust towards Van Buren was still bitter; the hot anger of his own party over the blow he had dealt in 1848 was still far from subsided; the gratitude of most Free Soil men had completely disappeared with his apparent acquiescence in the politics of Pierce and Buchanan. Save in a narrow circle of anti-slavery Democrats, Van Buren, in these last days of his, was judged at best with coldness, and most commonly with dislike or even contempt. Not much of any other temper has yet gone into political history; its writers have frequently been content to accept the harshness of partisan opinion, or even the scurrility and mendacity visited upon him during his many political campaigns, and to ignore the positive records of his career and public service. The present writer confesses to have begun this Life, not indeed sharing any of the hatred or contempt so commonly felt towards Van Buren, but still given to many serious depreciations of him, which a better examination has shown to have had their ultimate source in the mere dislike of personal or political enemies, — a dislike to whose expression, often powerful and vivid, many writers have extended a welcome seriously inconsistent with the fairness of history.

When Abraham Lincoln was chosen president in 1860, this predecessor of his by a quarter century was a true historical figure. The bright, genial old man connected, visibly and really, those stirring and dangerous modern days with the first political struggles under the American Constitution, struggles then long passed into the quiet of history, to leave him almost their only living reminiscence. Martin Van Buren was a man fully grown and already a politician when in 1801 the triumph of Thomas Jefferson completed the political foundation of the United States. Its profound inspiration still remained with him on this eve of Lincoln's election. Under its influence his political career had begun and had ended.

At Jefferson's election the aspiration and fervor which attended the first, the new-born sense of American national life, had largely worn away. The ideal visions of human liberty had long before grown dim during seven years of revolutionary war, with its practical hardships, its vicissitudes of meanness and glory, and during the four years of languor and political incompetence which followed. In the agitation for better union, political theories filled the minds of our forefathers. Lessons were learned from the Achæan League, as well as from the Swiss Confederation, the German Empire, and the British Constitution. Both history and speculation, however, were firmly subordinated to an extraordinary common sense, in part flowing from, as it was most finely exhibited in, the luminous and powerful, if unexalted, genius of Franklin. From the open beginning of constitution-making at Annapolis in 1786 until the inauguration of John

Adams, the American people, under the masterful governing of Washington, were concerned with the framework upon which the fabric of their political life was to be wrought. The framework was doubtless in itself of a vast and enduring importance. If the consolidating and aristocratic schemes of Hamilton had not met defeat in the federal convention, or if the separatist jealousies of Patrick Henry and George Clinton had not met defeat in Virginia and New York after the work of the convention was done, there would to-day be a different American people. Nor would our history be the amazing story of the hundred years past. But upon the governmental framework thus set up could be woven political fabrics widely and essentially different in their material, their use, and their enduring virtue. For quite apart from the framework of government were the temper and traditions of popular politics out of which comes, and must always come, the essential and dominant nature of public institutions. In this creative and deeper work Jefferson was engaged during his struggle for political power after returning from France in 1789, during his presidential career from 1801 to 1809, and during the more extraordinary, and in American history the unparalleled, supremacy of his political genius after he had left office. In the circumstances of our colonial life, in our race extractions, in our race fusion upon the Atlantic seaboard, and in the moral effect of forcible and embittered separation from the parent country, arose indeed, to go no further back, the political instincts of American men. It is, however, fatal to adequate conception of our political development to ignore the enormous formative influence which the twenty years of Jefferson's rule had upon American political character. But so partial and sometimes so partisan have been the historians of our early national politics in their treatment of that great man, that a just appreciation of the political atmosphere in which Van Buren began his career is exceedingly difficult.

There was an American government, an American nation, when Washington gladly escaped to Mt. Vernon from the bitterly factional quarrels of the politicians at Philadelphia. The government was well ordered; the nation was respectable and dignified. But most of the people were either still colonial and provincial, or were rushing, in turbulence and bad temper, to crude speculations and theories. Twenty-five years later, Jefferson had become the political idol of the American people, a people completely and forever saturated with democratic aspirations, democratic ideals, what John Marshall called "political metaphysics," a people with strong and lasting characteristics, no longer either colonial or provincial, but profoundly national. The skill, the industry, the arts of the politician, had been used by a man gifted with the genius and not free from the faults of a philosopher, to plant in American usages, prejudices, and traditions, — in the very fibre of American political life, a cardinal and fruitful idea. The work was done for all time. For Americans, government was thenceforth to be a mere instrument. No longer a symbol, or an ornament or crown of national life, however noble and august, it was a simple means to a plain end; to be always, and if need be rudely, tested and measured by its practical working, by its service to popular rights and needs. In those earlier days, too, there had been "classes and masses," the former of whom held public service and public policy as matters of dignity and order and high assertion of national right and power, requiring in their ministers peculiar and esoteric light, and an equipment of which common men ought not to judge, because they could not judge aright. Afterward, in Monroe's era of good feeling, the personal rivalries of presidential candidates were in bad temper enough; but Americans were at last all democrats. Whether for better or worse, the nation had ceased to be either British or colonial, or provincial, in its character. In the delightful Rip Van Winkle of a later Jefferson, during the twenty years' sleep, the old Dutch house has gone, the peasant's dress, the quaint inn with its village tapster, all the old scene of loyal provincial life. Rip returns to a noisy, boastful, self-assertive town full of American "push" and "drive," and profane disregard of superiors and everything ancient. It was hardly a less change which spread through the United States in the twenty years of Jefferson's unrivaled and fruitful leadership. Superstitious regard for the "well-born," for institutions of government as images of veneration apart from their immediate and practical use; the faith in government as essentially a financial establishment which ought to be on peculiarly friendly relations with banks and bankers; the treatment and consideration of our democratic organization as an experiment to be administered with deprecatory deference to European opinion; the idea that upon the great, simple elements of political belief and practice, the mass of men could not judge as wisely and safely as the opulent, the cultivated, the educated; the idea that it was a capital feature of political art to thwart the rashness and incompetence of the lower people, — all these theories and traditions, which had firmly held most of the disciplined thought of Europe and America, and to which the lurid horrors of the French Revolution had brought apparent consecration, — all these had now gone; all had been fatally wounded, or were sullenly and apologetically cherished in the aging bitterness of the Federalists. There was an American people with as distinct, as powerful, as characteristic a polity as belonged to the British islanders. In 1776 a youthful genius had seized upon a colonial revolt against taxation as the occasion to make solemn declaration of a seeming abstraction about human rights. He had submitted, however, to subordinate his theory during the organization of national defense and the strengthening of the framework of government. Nor did he shine in either of those works. But with the nation established, with a union secured so that its people could safely attend to the simpler elements of human rights, Jefferson and his disciples were able to lead Americans to the temper, the aspirations, and the very prejudices of essential democracy. The Declaration of Independence, the ten amendments to the Constitution theoretically formulating the rights of men or of the States, sank deep into the sources of American political life. So completely indeed was the work done, that in 1820 there was but one political party in America; all were Jeffersonian Republicans; and when the Republican party was broken up in 1824, the only dispute was whether Adams or Jackson or Crawford or Clay or Calhoun best represented the political beliefs now almost universal. It seemed to Americans as if they had never known any other beliefs, as if these doctrines of their democracy were truisms to which the rest of the world was marvelously blind.

Nothing in American public life has, in prolonged anger and even savage desperation, equaled the attacks upon Jefferson during the steady growth of his stupendous influence. The hatred of him personally, and the belief in the wickedness of his private and public life, survive in our time. Nine tenths of the Americans who then read books sincerely thought him an enemy of mankind and of all that was sacred. Nine tenths of the authors of American books on history or politics have to this day written under the influence which ninety years ago controlled their predecessors. And for this there is no little reason. As the American people grew conscious of their own peculiar and intensely active political force, there came to them a period of national and popular life in which much was unlovely, much was crude, much was disagreeably vulgar. Books upon America written by foreign travelers, from the days of Jefferson down to our civil war, superficial and offensive as they often were, told a great deal of truth. We do not now need to wince at criticisms upon a rawness, an insolent condescension towards the political ignorance of foreigners and the unhappy subjects of kings, a harshness in the assertion of the equality of Caucasian men, and a restless, boastful manner. The criticisms were in great measure just. But the critics were stupid and blind not to see the vast and vital work and change going on before their eyes, to chiefly regard the trifling and incidental things which disgusted them. Their eyes were open to all our faults of taste and manner, but closed to the self-dependent and self-assertive energy the disorder of whose exhibition would surely pass away. In every democratic experiment, in every experiment of popular or national freedom, there is almost inevitable a vulgarizing of public manners, a lack of dignity in details, which disturbs men who find restful delight in orderly and decorous public life;

and their disgust is too often directed against beneficent political changes or reforms. If one were to judge the political temper of the American people from many of our own writers, and still more if he were to judge it from the observations even of intelligent and friendly foreigners prior to 1861, he would believe that temper to be sordid, mean, noisy, boastful, and even cruel. But from the war of 1812 with England to the election of Buchanan in 1856, the American people had been doing a profound, organic, democratic work. Meantime many had seen no more than the unsightly, the mean and trivial, the malodorous details, which were mere incidents and blemishes of hidden and dynamic operations. Unimaginative minds usually fail to see the greater and deeper movements of politics as well as those of science. In the public virtues then maturing there lay the ability long and strenuously to conduct an enterprise the greatest which modern times have known, and an extraordinary popular capacity for restraint and discipline. In those virtues was sleeping a tremendously national spirit which, with cost and sacrifice not to be measured by the vast figures of the statistician, on one side sought independence, and on the other saved the Union, — an exalted love of men and truth and liberty, which, after all the enervations of pecuniary prosperity, endured with patience hardships and losses, and the less heroic but often more dangerous distresses of taxation, — at the North a magnanimity in victory unequaled in the traditions of men, and at the South a composure and dignity and absence of either bitterness or meanness which brought out of defeat far larger treasures than could have come with victory. But these were not effects without a cause. In them all was only the fruit, the normal fruit, of the political habits, ideals, traditions, whose early and unattractive disorders had chagrined many of the best of Americans, and had seemed so natural to foreigners who feared or distrusted a democracy. There had been forming, during forty or fifty years of a certain raw unloveliness, the peculiar and powerful self-reliance of a people whose political independence meant far more than a mere separate government.

In these years Van Buren was one of the chief men in American public life. He and his political associates had been profoundly affected by the Jeffersonian philosophy of government. They robustly held its tenets until the flame and vengeance of the slavery conflict drove them from political power. In our own day we have, in the able speeches with which Samuel J. Tilden fatigued respectful though often unsympathetic hearers at Democratic meetings, heard something of the same robust political philosophy, brought directly from intercourse with his famous neighbor and political master. Van Buren himself breathed it as the very atmosphere of American public life, during his early career which had just begun when Jefferson, his robes of office dropped and his faults of administration forgotten, seemed the serene, wise old man presiding over a land completely won to his ideals of democracy. Under this extraordinary influence and in this political light, there opened with the first years of the century the public life to be narrated in this volume.

CHAPTER II

EARLY YEARS. — PROFESSIONAL LIFE

At the close of the American Revolution, Abraham Van Buren was a farmer on the east bank of the Hudson River, New York. He was of Dutch descent, as was his wife, whose maiden name Hoes, corrupted from Goes, is said to have had distinction in Holland. But it would be mere fancy to find in the statesman particular traits brought from the dyked swamp lands whence some of his ancestors came. Those who farmed the rich fields of Columbia county were pretty thorough Americans; their characteristics were more immediately drawn from the soil they cultivated and from the necessary habits of their life than from the lands, Dutch or English, from which their forefathers had emigrated. Late in the eighteenth century they were no longer frontiersmen. For a century and more this eastern Hudson River country had been peacefully and prosperously cultivated. There was no lack of high spirit; but it was shown in lawsuits and political feuds rather than in skirmishes with red men. It was close to the old town of Albany with its official and not undignified life, and had comparatively easy access to New York by sloop or the post-road. It had been an early settlement of the colony. Within its borders were now the estates and mansions of large landed proprietors, who inherited or acquired from a more varied and affluent life some of the qualities, good and bad, of a country gentry. It was a region of easy, orderly comfort, sound and robust enough, but not sharing the straight and precise, though meddling, puritanical habits which a few miles away, over the high Berkshire hills, had come from the shores of New England.

The elder Van Buren was said by his son's enemies to have kept a tavern; and he probably did. Farming and tavern-keeping then were fairly interchangeable; and the gracious manner, the tact with men, which the younger Van Buren developed to a marked degree, it is easy to believe came rather from the social and varied life of an inn than from the harsher isolation of a farm. The statesman's boyish days were at any rate spent among poor neighbors. He was born at Kinderhook, an old village of New York, on the 5th of December, 1782. The usual years of schooling were probably passed in one of the dilapidated, weather-beaten schoolhouses from which has come so much of what is best in American life. He studied later in the Kinderhook Academy, one of the higher schools which in New York have done good work, though not equaling the like schools in Massachusetts. Here he learned a little Latin. But when at fourteen years of age he entered a law office, he had of course the chief discipline of book-learning still to acquire. In 1835 his campaign biographer rather rejoiced that he had so little systematic education, fearing that "from the eloquent pages of Livy, or the honeyed eulogiums of Virgil, or the servile adulation of Horace, he might have been inspired with an admiration for regal pomp and aristocratic dignity uncongenial to the native independence of his mind," and have imbibed a "contempt for plebeians and common people," unless, perhaps, the speeches of popular leaders in Livy "had kindled his instinctive love of justice and freedom," or the sarcastic vigor of Tacitus "had created in his bosom a fixed hatred of tyranny in every shape." At an early age, however, it is certain that Van Buren, like many other Americans of original force and with instinctive fondness for written pictures of human history and conduct, acquired an education which, though not that of a professional scholar, was entirely appropriate to the skillful man of affairs or the statesman to be set in conspicuous places. This work must have been largely done during the comparative leisure of his legal apprenticeship.

It was in 1796 that he entered the law office of Francis Sylvester at Kinderhook, where he remained until his twentieth year. He there read law. It is safe to say besides that he swept the office, lighted the fires in winter, and, like other law students in earlier and simpler days, had to do the work of an office janitor and errand boy, as well as to serve papers and copy the technical forms of the common law, and the tedious but often masterly pleadings of chancery. That his work as a student was done with great industry and thoroughness is demonstrated by the fact that at an early age he became a successful and skillful advocate in arguments addressed to courts as distinguished from juries, a division of professional work in which no skill and readiness will supply deficiencies in professional equipment. His early reputation for cleverness is illustrated by the story that when only a boy he successfully summed up a case before a jury against his preceptor Sylvester, being made by the justice to stand upon a bench because he was so small, with the exhortation, "There, Mat, beat your master."

In 1802 Van Buren entered the office of William P. Van Ness, in the city of New York, to complete his seventh and final year of legal study. Van Ness was himself from Columbia county and an eminent lawyer. He was afterwards appointed United States district judge by Madison; and was then an influential Republican and a close friend and defender of Aaron Burr, then the vice-president. The native powers and fascination of Burr were at their zenith, though his political character was blasted. Van Buren made his acquaintance, and was treated with the distinguished and flattering attention which the wisest of public men often show to young men of promise. Van Buren's enemies were absurdly fond of the fancy that in this slight intercourse he had acquired the skill and grace of his manner, and the easy principles and love of intrigue which they ascribe to him. Burr, for years after he was utterly disabled, inspired a childish terror in American politics. The mystery and dread about him were used by the opponents of Jackson because Burr had early pointed him out for the presidency, and by the opponents of Clay because in early life he had given Burr professional assistance. But upon Burr's candidacy for governor in 1804 Van Buren's freedom from his influence was clearly enough exhibited.

In 1803 Van Buren, being now of age and admitted as an attorney, returned to Kinderhook and there began the practice of his profession. The rank of counsellor-at-law was still distinct and superior to that of attorney. His half-brother on his mother's side, James J. Van Alen, at once admitted the young attorney to a law partnership. Van Alen was considerably older and had a practice already established. Van Buren's career as a lawyer was not a long one, but it was brilliant and highly successful. After his election to the United States Senate in 1821 his practice ceased to be very active. He left his profession with a fortune which secured him the ease in money matters so helpful and almost necessary to a man in public life. Merely professional reputations disappear with curious and rather saddening promptness and completeness. Of the practice and distinction reached by Van Buren before he withdrew from the bar, although they were unsurpassed in the State, no vestige and few traditions remain beyond technical synopses of his arguments in the instructive but hardly succulent pages of Johnson's, Wendell's, and Cowen's reports.

At an early day the legal profession reached in our country a consummate vigor. Far behind as Americans were in other learning and arts, they had, within a few years after they escaped colonial dependence, judges, advocates, and commentators of the first rank. Marshall, Kent, and Story were securely famous when hardly another American of their time not in public and political life was known. In the legal art Americans were even more accomplished than in its science; and Columbia county and the valley of the Hudson were fine fields for legal practice. Many animosities survived from revolutionary days. The landed families, long used to administer the affairs of others as well as their own, saw with jealousy and fear the rapid spread of democratic doctrines and of leveling and often-insolent manners. Political feuds were rife, and frequently appeared in the professionally profitable collisions of neighbors with vagrant cows, or on watercourses insufficient for the needs of the up-stream and the down-stream proprietors. There were slander suits and libel suits, and suits for malicious prosecution. Into the most legitimate controversies over doubts about property there was driven the bitterness which turns a lawsuit from a process to ascertain a right into a weapon of revenge.

Van Buren's political opinions were strong and clear from the beginning of his law practice; but he was in a professional minority among the rich Federalists of the county. The adverse discipline was invaluable. Through zeal and skill and large industry, he soon led the Republicans as their ablest lawyer, and the lawyers of Columbia county were famous. William W. Van Ness, afterwards a judge of the supreme court of the State, Grosvenor, Elisha Williams, and Jacob R. Van Rensselaer were active at the bar. Williams, although his very name is nowadays hardly known, we cannot doubt from the universal testimony of contemporaries, had extraordinary forensic talents. He was a Federalist; and the most decisive proof of Van Buren's rapid professional growth was his promotion to be Williams's chief competitor and adversary. Van Buren's extraordinary application and intellectual clearness soon established him as the better and the more successful lawyer, though not the more powerful advocate. Williams at last said to his rival, "I get all the verdicts, and you get all the judgments." A famous pupil of Van Buren both in law and in politics, Benjamin F. Butler, afterwards attorney-general in his cabinet, finely contrasted them from his own recollection of their conflicts when he was a law student. "Never," he said, "were two men more dissimilar. Both were eloquent; but the eloquence of Williams was declamatory and exciting, that of Van Buren insinuating and delightful. Williams had the live lier imagination, Van Buren the sounder judgment. The former presented the strong points of his case in bolder relief, invested them in a more brilliant coloring, indulged a more unlicensed and magnificent invective, and gave more life and variety to his arguments by his peculiar wit and inimitable humor. But Van Buren was his superior in analyzing, arranging, and combining the insulated materials, in comparing and weighing testimony, in unraveling the web of intricate affairs, in eviscerating truth from the mass of diversified and conflicting evidence, in softening the heart and moulding it to his purpose, and in working into the judgments of his hearers the conclusions of his own perspicuous and persuasive reasonings." Most of this is applicable to Van Buren's career on the wider field of politics; and much here said of his early adversary on the tobacco-stained floors of country court-houses might have been as truly said of a later adversary of his, the splendid leader who, rather than Harrison, ought to have been victor over Van Buren in 1840, and over whom Van Buren rather than Polk ought to have been victor in 1844.

In a few years Van Buren outgrew the professional limitations of Kinderhook. In February, 1807, he had been admitted as a counsellor of the supreme court; and this promotion he most happily celebrated by marrying Hannah Hoes, a young lady of his own age, and also of Dutch descent, a kinswoman of his mother, and with whom he had been intimate from his childhood. In 1808, the council of appointment becoming Republican, he was made surrogate of Columbia county, succeeding his partner and half-brother Van Alen, a Federalist in politics, who was, however, returned to the place in 1815, when the Federalists regained the council. The office was a respectable one, concerned with the probate of wills, and the ordering of estates of deceased persons. Within a year after this appointment, Van Buren removed to the new and bustling little city of Hudson, directly on the river banks. Here he practiced law with rapidly increasing success for seven years. His pecuniary thrift now enabled him to purchase what was called "a very extensive and well-selected library." With this advantage he applied himself to "a systematic and extended course of reading," which left him a well, even an amply, educated man. His severity in study did not, however, exclude him from the social pleasures of which he was fond, and for which he was perfectly fitted. He learned men quite as fast as he learned books. A country surrogate, though then enjoying fees, since commuted to a salary, had only a meagre compensation. But the duties of Van Buren's office did not interfere with his activity in the private practice of the law. On the contrary, the office enabled him to make acquaintances, a process which, even without adventitious aid, he always found easy and delightful.

In 1813, having been elected a member of the

Senate of the State, he became as such a member of the court for the correction of errors. This was the court of last resort, composed, until 1847, of the chancellor, the judges of the supreme court, the lieutenant-governor, and the thirty-two senators. The latter, though often laymen, were members of the court, partly through a curious imitation of the theoretical function of the British House of Lords, and partly under the idea, even now feebly surviving in some States, that some besides lawyers ought to sit upon the bench in law courts to contribute the common sense which it was fancied might be absent from their more learned associates. It was not found unsuitable for members of this, the highest court, to be active legal practitioners. While Van Buren held his place as a member he was, in February, 1815, made attorney-general, succeeding Abraham Van Vechten, one of the famous lawyers of the State. Van Buren was then but thirty-two years old, and the professional eminence accorded to the station was greater than now. Among near predecessors in it had been Aaron Burr, Ambrose Spencer and Thomas Addis Emmett; among his near successors were Thomas J. Oakley, Samuel A. Talcott, Greene C. Bronson and Samuel Beardsley, — all names of the first distinction in the professional life of New York. The office was of course political, as it has always been, both in the United States and the mother country. But Van Buren's appointment, if it were made because he was an active and influential Republican in politics, would still not have been made unless his professional reputation had been high. The salary was $5.50 a day, with some costs, — not an unsuitable salary in days when the chancellor was paid but $3000 a year. He held the office until July, 1819, when, upon the capture of the council of appointment by a coalition of Clintonian Republicans and Federalists, he was removed to give place to Oakley, the Federalist leader in the State Assembly.

In 1816 Van Buren, now rapidly reaching professional eminence, removed to Albany, the capital of New York. Though then a petty city of mean buildings and about 10,000 inhabitants, it had a far larger relative importance in the professional and social life of the State than has the later city of ten times the population, with its costly and enormous state-house, its beautiful public buildings, and its steep and numerous streets of fine residences. In 1820 he purposed removing to New York; but, for some reason altering his plans, continued to reside at Albany until appointed secretary of state in 1829. His professional career was there crowned with most important and lucrative work. Soon after moving to Albany, he took into partnership Butler, just admitted to the bar. Between the two men there were close and life-long relations. The younger of them, also a son of Columbia county, reached great professional distinction, became a politician of the highest type, and remained steadfast in his attachment to Van Buren's political fortunes, and to the robust and distinctly marked political doctrines and practices of the Albany Regency.

The law reports give illustrations of Van Buren's precision, his clear and forcible common-sense, and his aptitude for that learning of the law in which the great counsel of the time excelled. In 1813, soon after his service began as state senator, he delivered an opinion in a case of "escape;" and in very courteous words exhibited a bit of his dislike for Kent, then chief justice of the supreme court, whose judgment he helped to reverse, as well as his antipathy to imprisonment for debt, which he afterwards helped to abolish. It was a petty suit against the sureties upon the bond given by a debtor. Under a relaxation of the imprisonment for debt recently permitted, the debtor was, on giving the bond, released from jail, but upon the condition that he should keep within the "jail liberties," which in the country counties was a prescribed area around the jail. His bond was to be forfeit if he passed the "liberties." While the debtor was driving a cow to or from pasture, the latter contemptuously deviated "four, six, or ten feet" from the liberties. The driver, yielding to inevitable bucolic impulse and forgetting his bond, leaped over the imaginary line to bring back the cow. He was without the liberties but a moment, and afterwards duly kept within them. But the creditor was watchful, and for the technical "escape" sued the sureties. Although the debtor was within the limits when suit was brought, the lower court refused to pardon the debtor's technical and unintentional fault. At common law the creditor was entitled to satisfaction of the debtor's body; and the milder statute establishing jail liberties was, the court said, to be strictly construed against the debtor; it was not enough that the creditor had the debtor's body when he called for it. The supreme court, headed by Kent, affirmed this curiously harsh decision. In the court of errors, Van Buren joined Chancellor Lansing in reversing the rule upon an elaborate review of the law, which to this day is important authority, and which could not have been more carefully done had something greater seemed at stake than a bovine vagary and a few dollars. The young lawyer, wearing for a time the judicial robes, now sat in a review, by no means unpleasant, of the utterances of magistrates before whom he had until then stood in considerable awe; and seized the opportunity, doubtless with a keen perception of the drift of popular sentiment on matters of personal liberty, to enlarge the mild policy of the later law. When it was urged that, if the law were not technically administered, imprisoned debtors would of a Sunday wander beyond the "limits," securely able to return before Monday, when the creditor could sue, — Van Buren, with a contemptuous fling at the supreme court, confessed in Johnsonian sentences his lenient temper towards these "stolen pleasures," — his willingness that debtors should snatch the "few moments of liberty which, although soured by constant perturbation and alarm, are, notwithstanding, deemed fit subjects for judicial animadversion." His rhetoric was rather agreeably florid when he declared the law establishing "jail liberties" to be a concession for humane purposes made by the inflexible spirit which authorized imprisonment for debt. He strongly intimated his sympathy to be with "the exertions of men of intelligence, reflection, and philanthropy to mitigate its rigor; of men who viewed it as a practice fundamentally wrong, a practice which forces their fellow-creatures from society, from their friends, and their agonized families into the dreary walls of a prison; which compels them to leave all those fascinating endearments to become an inmate with vermin;" and all this, not for crime or frauds, "but for the misfortune of being poor, of being unable to satisfy the all-digesting stomach of some ravenous creditor." The practice was one "confounding virtue and vice, and destroying the distinction between guilt and innocence which should unceasingly be cherished in every well-regulated government." Democrats rejoiced over this passage when Van Buren was a candidate for the presidency. Richard M. Johnson, then his associate upon the Democratic ticket, had successfully led an agitation for the abolition of such imprisonment upon judgments rendered in the federal courts.

Van Buren's professional life terminated with his election as governor in 1828. In 1830, while secretary of state at Washington, he is said to have appeared before the federal supreme court in the great litigation between Astor and the Sailors' Snug Harbor, in which he had been counsel below; but no record is preserved of his argument there. His last well-known argument was before the court of errors at Albany in Varick *v.* Jackson, a branch of the famous Medcef Eden litigation. This long and highly technical battle was lighted up by the fame and competitions of the counsel. It arose upon the question whether a will of Eden which gave a landed estate to his son Joseph, but if Joseph died without children, then to his surviving brother, Medcef Eden the younger, created for Joseph the old lawyers' delight of an "estate tail." If it were an "estate tail," then the law of 1782, which, in the general tendency of American legislation after the Revolution, was directed against the entailing of property, would have made the first brother, Joseph, the absolute owner, and have defeated the later claim of Medcef. Joseph had failed while in possession of the property. His creditors, accepting the opinion of Alexander Hamilton, then the head of the bar, insisted that he had been the absolute owner, that the provision for his brother Medcef's accession to the property was nugatory as an attempt to entail the estate; and upon this view the creditors sold the lands, which by the rapid growth of the city soon became of large value. Hamilton's opinion for years daunted the younger Medcef and his children from asserting the right which it was morally plain his father had intended for him. Aaron Burr, not less Hamilton's rival at the bar than in the politics of New York, gave a contrary opinion; but after killing Hamilton in 1804 and yielding up the vice-presidency in 1805, his brilliant professional gifts were exiled from New York. On his return in 1812 from years of conspiracy, adventure, and romance, he took up the discredited Medcef Eden claim; and in the judicial test of the question he, and not Hamilton, proved to have been correct. The struggle went on in a number of suits; and when in 1823 the question was to be finally settled in the court of last resort, Burr, fearing, as he himself intimated to the court, lest the profound suspicion under which he rested might obscure and break the force of his legal arguments, or conscious that his past twenty years had dimmed his faculties, called to his aid Van Buren, then United States senator and a chief of the profession. As Van Buren and Burr attended together before the court of errors, they doubtless recalled their meetings in Van Ness's office twenty years before, when Burr, still a splendid though clouded figure in American life, hoped, by Federalist votes added to the Republican secession which he led, to reach the governorship and recover his prestige; those days in which the unknown but promising young countryman had interested a vice-president and enjoyed the latter's skillful and not always insincere flattery. The firm and orderly procedure of Van Buren's life was now well contrasted with the discredited and profligate ability of the returned wanderer. Against this earlier but long deposed, and against this later and regnant chief in the Republican politics of New York, were ranged in these cases David B. Ogden, the famous lawyer of the Federalist ranks, Samuel A. Talcott, and Samuel Jones. In Van Buren's long, masterly, and successful argument there was again an edge to the zeal with which he attacked the opinion of Kent, the Federalist chancellor, who asked the court of errors to overrule its earlier decisions, and the chancellor's own decision as well, and defeat the intention of the elder Medcef Eden.

Van Buren's professional career was most enviable. It lasted twenty-five years. It ended before he was forty-six, when he was in the early ripeness of his powers, but not until a larger and more shining career seemed surely opened before him. He left the bar with a competence fairly earned, which his prudence and skill made grow into an ample fortune, without even malicious suggestion in the scurrility of politics that he had profited out of public offices. In money matters he was more thrifty and cautious than most Americans in public places. His enemies accused him of meanness and parsimony, but apparently without other reason than that he did not practice the careless and useless profusion and luxury which many of his countrymen in political life have thought necessary to indulge even when their own tastes were far simpler. In the course of professional employment he acquired an important estate near Oswego, whose value rapidly enhanced with the rapid growth of western New York and the development of the lake commerce from that port.

The chief interest now found in Van Buren's professional career lies in its relation to his political life. He was the only lawyer of conspicuous and practical and really great professional success who has reached the White House. In the long preparation for the bar, in the many hours of leisure at Kinderhook and Hudson and even Albany permitted by the methods of practice in vogue before there were railways or telegraphs, and when travel was costly and slow and postage a shilling or more, he gained the liberal education more difficult of access to the busier young attorney and counsel of these crowded days. Great lawyers were then fond of illustrations from polite literature; they loved to set off their speeches with quotations from the classics, and to give their style finish and ornament not practicable to the precise, prompt methods which their successors learn in the driving routine of modern American cities. Van Buren did not, however, become a great orator at the bar. His admirer, Butler, upon returning to partnership with him in 1820, wrote indeed to an intimate friend, Jesse Hoyt (destined afterwards to bring grief and scandal upon both the partners), that if he were Van Buren he "would let politics alone," and become, as Van Buren might, the "Erskine of the State." But though his success, had he continued in the profession, would doubtless have been of the very first order, his oratory would never have reached the warm and virile splendor of Erskine, or the weighty magnificence of Webster. Van Buren's work as a lawyer brought him, however, something besides wealth and the education and refinement of books, and something which neither Erskine nor Webster gained. The profession afforded him an admirable discipline in the conduct of affairs; and affairs, in the law as out of it, are largely decided by human nature and its varying peculiarities. The preparation of details; the keen and far-sighted arrangement of the best, because the most practicable, plan; the refusal to fire off ammunition for the popular applause to be roused by its noise and flame; the clear, steady bearing in mind of the end to be accomplished, rather than the prolonged enjoyment or systematic working out of intermediate processes beyond a utilitarian necessity, — all these elements Van Buren mastered in a signal degree, and made invaluable in legal practice. To men more superbly equipped for *tours de force*, who ignored the uses of long, attentive, varied, painstaking work, there was nothing admirable in the methods which Van Buren brought into political life out of his experience in the law. He was, to undisciplined or envious opponents, a "little magician," a trickster. The same thing appears, in every department of human activity, in the anger which failure often flings at success.

The predominance of lawyers in our politics was very early established, and has been a characteristic distinction between politics in England and politics in America. Conspicuous as lawyers have been in the politics of the older country, they have rarely been figures of the first rank. They have served in all its modern ministries, and sometimes in other than professional stations; but, with the unimportant exception of Perceval, not as the chief. English opinion has not unjustly believed its greater landed proprietors to be animated with a strong and peculiar desire for English greatness and renown; nor has the belief been destroyed by their frequent opposition to the most beneficent popular movements. Among these proprietors and those allied with them, even when not strictly in their ranks, England has found her statesmen. To this day, the speech of a lawyer in the British House of Commons is fancied to show the narrowness of technical training, or is treated as a bid for promotion to some of the splendid seats open to the English bar. In America, the great landed proprietor very early lost the direction of public affairs. All the members of the "Virginian dynasty" were, it is true, large land-owners, and in the politics of New York there were several of them. But land-ownership was to Jefferson, Madison, and Monroe simply a means of support while they attended to public affairs; it was not one of their chief recommendations to the landed interest throughout the country. For a time in the early politics of New York the landed wealth of the Schuylers, Van Rensselaers, and Livingstons was of itself a source of strength; but in the spread of democratic sentiment it was found that to be a great landlord was entirely consistent with dullness, narrowness, and timid selfishness. Among the landlords there soon and inevitably decayed that sense of public obligation belonging to exalted position and leadership which sometimes brings courage, high public spirit, and even a sound and active political imagination, to those who preside over bodies of tenants. The laws were changed which facilitated family accumulations of land. Since these early years of the century a great land-owner has been in politics little more than any other rich man. Both have had advantages in that as in any other field of activity. Certain easy graces not uncommon to inherited wealth have often been popular, — not, however, for the wealth, but for themselves. Where these graces have existed in America without such wealth, they have been none the less popular; but in England a lifetime of vast public service and the finest personal attainments have failed to overcome the distrust of a landless man as a sort of adventurer.

When Van Buren's career began, the men who were making money in trade or manufactures were generally too busy for the anxious and busy cares of public life; the tradesmen and manufacturers who had already made money were past the time of life when men can vigorously and skillfully turn to a new and strange calling. There was no leisure class except land-owners or retired men of business. Lawyers, far more than those of any other calling, became public men, and naturally enough. Their experience of life and their knowledge of men were large. The popular interest in their art of advocacy; their travels from county seat to county seat; their speeches to juries in towns where no other secular public speaking was to be heard; the varieties of human life which lawyers came to know, — varieties far greater where the same men acted as attorneys and advocates than in England where they acted in only one of these fields, — these and the like, combined with the equipment for the forms of political and governmental work which was naturally gained in legal practice and the systematic study of law, gave to distinguished lawyers in America their large place in its political life. For this place the liberality of their lives helped, besides, to fit them. They had ceased to be disqualified for it by their former close alliance, as in England, with the landed aristocracy; and they had not yet begun to suffer a disqualification, frequently unjust, for their close relations with corporate interests, between which and the public there often arises an antagonism of interests. De Tocqueville, after his visit in 1832, said that lawyers formed in America its highest political class and the most cultivated circle of society; that the American aristocracy was not composed of the rich, but that it occupied the judicial bench and the bar. And the descriptions of the liberal and acute though theoretical Frenchman are generally trustworthy, however often his striking generalizations are at fault. Such, then, was the intimacy of relations between the professions of law and politics when Van Buren shone in both. And when, in his early prime, he gave up the law, neither forensic habits nor those of the attorney were yet too strongly set to permit the easy and complete diversion of his powers to the more generous and exalted activity of public life.

It is simpler thus separately to treat Van Buren's life as a lawyer, because in a just view of the man it must be subordinate to his life as a politician. It is to be remembered, however, that in his earlier years his progress in politics closely attended in time, and in much more than time, his professional progress. When, at thirty, he sat as an appellate judge in the court of errors, he was already powerful in politics; when, at thirty-two, he was attorney-general, he was the leader of his party in the state senate; when, at forty-five, he had perhaps the most lucrative professional practice in New York, he was the leader of his party in the United States Senate. But it will be easier to follow his political career without interruption from his work as a lawyer, honorable and distinguished as it was, and much of his political ability as he owed to its fine discipline.

Van Buren's domestic life was broken up by the death of his wife at Albany, in February, 1819, leaving him four sons. To her memory Van Buren remained scrupulously loyal until his own death forty-three years afterwards. We may safely believe political enemies when, after saying of him many dastardly things; they admitted that he had been an affectionate husband. Nor were accusations ever made against the uprightness and purity of his private life

CHAPTER III

STATE SENATOR. — ATTORNEY-GENERAL. — MEMBER OF THE CONSTITUTIONAL CONVENTION

THE politics of New York State were never more bitter, never more personal, than when Van Buren entered the field in 1803. The Federalists were sheltered by the unique and noble prestige of Washington's name; and were conscious that in wealth, education, refinement, they far excelled the Republicans. They were contemptuously suspicious of the unlettered ignorance, the intense and exuberant vanity, of the masses of American men. It was by that contempt and suspicion that they invited the defeat which, protected though they were by the property qualifications required of voters in New York, they met in 1800 at the hands of a people in whom the instincts of democracy were strong and unsubmissive. This was in our history the one complete and final defeat of a great national party while in power. The Federalists themselves made it final, — by their silly and unworthy anger at a political reverse; by their profoundly immoral efforts to thwart the popular will and make Burr president; by their fatal and ingrained disbelief in common men, who, they thought, foolishly and impiously refused to accept wisdom and guidance from the possessors of learning and great estates; and finally by their unpatriotic opposition to Jefferson and Madison in the assertion of American rights on the seas during the Napoleonic wars. All these drove the party, in spite of its large services in the past and its eminent capacity for service in the future, forever from the confidence of the American people. The Federalists maintained, it is true, a party organization in New York until after the second war with England; but their efforts were rather directed to the division and embarrassment of their adversaries than to victories of their own strength or upon their own policy. They carried the lower house of the legislature in 1809, 1812, and 1813. There were among them men of the first rank, who retained a strong hold on popular respect, among whom John Jay and Rufus King were deservedly shining figures. But never after 1799 did the Federalists elect in New York a governor, or control both legislative houses, or secure any solid power, except by coalition with one branch or another of the Republicans.

Van Buren's fondness for politics was soon developed. His father was firmly attached to the Jeffersonians or Republicans, — a rather discredited minority among the Federalists of Columbia county and the estates of the Hudson River aristocracy. Inheriting his political preferences, Van Buren, with a great body of other young Americans, caught the half-doctrinaire enthusiasm which Jefferson then inspired, an enthusiasm which in Van Buren was to be so enduring a force, and to which sixty years later he was still as loyal as he had been in the hot disputes on the sanded floors of the village store or tavern. During these boyish years he wrote and spoke for his party; and before he was eighteen he was formally appointed a delegate to a Republican convention for Columbia and Rensselaer counties.

Van Buren returned from New York to Columbia county late in 1803, just twenty-one years old. At once he became active in politics. The Republican party, though not strong in his county, was dominant in the State; and the game of politics was played between its different factions, the Federalists aiding one or the other as they saw their advantage. The Republicans were Clintonians, Livingstonians, or Burrites. George Clinton, in whose career lay the great origin of party politics of New York, was the Republican leader. The son of an Irish immigrant, he had, without the aid of wealth or influential connections, made himself the most popular man in the State. He was the first governor after colonial days were over, and was repeatedly reëlected. It was his opposition which most seriously endangered New York's adoption of the Federal Constitution. But in spite of the wide enthusiasm which the completed Union promptly aroused, this opposition did not prevent his reëlection in 1789 and 1792. The majorities were small, however, it being even doubtful whether in the latter year the majority were fairly given him. In 1795 he declined to be a candidate, and Robert R. Livingston, the Republican in his place, was defeated. In 1801 Clinton was again elected. Later he was vice-president in Jefferson's second term and Madison's first term; and his aspiration to the presidency in 1808 was by no means unreasonable. He was a strong party leader and a sincerely patriotic man. The Livingston family interest in New York was very great. The chancellor, Robert R. Livingston, who nowadays is popularly associated with the ceremony of Washington's inauguration, had been secretary for foreign affairs under the Articles of Confederation, and had left the Federalists in 1790. After his sixty years had under the law disqualified him for judicial office, he became Jefferson's minister to France and negotiated with Bonaparte the Louisiana treaty. Brockholst Livingston was a judge of the Supreme Court of New York in 1801. In 1807 Jefferson promoted him to the federal Supreme Court. Edward Livingston, younger than his brother, the chancellor, by seventeen years, was long after to be one of the finest characters in our politics. Early in Washington's administration he had become a strong pro-French Republican, and had opposed Jay's treaty with Great Britain; though forty years later, when Jackson brought him from Louisiana to be secretary of state, he was sometimes reminded of his still earlier Federalism. Morgan Lewis, judge of the Supreme Court and afterwards chief justice, and still later governor, was a brother-in-law of the chancellor. Smith Thompson, also a judge and chief justice, and later secretary of the navy under Monroe and a judge of the federal Supreme Court, and Van Buren's competitor for governor in 1828, was a connection of the family. There were sneers at the Livingston conversion to Democracy as there always are at political conversions. But whether or not Chancellor Livingston's Democracy came from jealousy of Hamilton in 1790, it is at least certain that he and his family connections rendered political services of the first importance during a half century. The drafting of Jackson's nullification proclamation in 1833 by Edward Livingston was one of the noblest and most signal services which Americans have had the fortune to render to their country.

The best offices were largely held by the Clinton and Livingston families and their connections, an arrangement very aristocratic indeed, but which did not then seem inconsistent with efficient and decorous performance of the public business. Burr naturally gathered around him those restless, speculative men who are as immoral in their aspirations as in their conduct, and whose adherence has disgraced and weakened almost every democratic movement known to history. Burr had been attorney-general; he had refused a seat in the Supreme Court; he had been United States senator; and now in the second office of the nation he presided with distinguished grace over the Federal Senate. His hands were not yet red with Hamilton's blood when Van Buren met him at New York in 1803; but Democratic faces were averted from the man who, loaded with its honors and enjoying its confidence, had intrigued with its enemies to cheat his exultant party out of their choice for president. In tribute to the Republicans of New York, George Clinton had already been selected in his place to be the next vice-president. While Van Buren was near the close of his law studies at New York, Burr was preparing to restore his fortunes by a popular election, for which he had some Republican support, and to which the fatuity of the defeated party, again rejecting Hamilton's advice, added a considerable Federalist support. William P. Van Ness, as "Aristides," one of the classical names under which our ancestors were fond of addressing the public, had in the Burr interest written a bitter attack on the Clintons and Livingstons, accusing them, and with reason, of dividing the offices between themselves.

Van Buren was easily proof against the allurements of Burr, and even the natural influence of so distinguished a man as Van Ness, with whom he had been studying a year. Sylvester, his first preceptor, was a Federalist. So was Van Alen, his half-brother, soon to be his partner, who in May, 1806, was elected to Congress. But Van Buren was firm and resolute in party allegiance.

In the election for governor in April, 1804, Burr was badly beaten by Morgan Lewis, the Clinton-Livingston candidate, whom Van Buren warmly supported, and Burr's political career was closed. The successful majority of the Republicans was soon resolved into the Clintonians, led by Clinton and Judge Ambrose Spencer, and the Livingstonians, led by Governor Lewis. The active participation of judges in the bitter politics of the time illustrates the universal intensity of political feeling, and goes very far to justify Jefferson's and Van Buren's distrust of judicial opinions on political questions. Brockholst Livingston, Smith Thompson, Ambrose Spencer, Daniel D. Tompkins, — all judges of the State Supreme Court, — did not cease when they donned the ermine to be party politicians; neither did the chancellors Robert R. Livingston and Lansing. Even Kent, it is pretty obvious, was a man of far stronger and more openly partisan feelings than we should today think fitting so great a judicial station as he held. The quarrels over offices were strenuous and increasing from the very top to the bottom of the community.

The Federalists in 1807 generally joined the Lewisites, or "Quids." Governor Lewis, finding that the jealousy of the Livingston interests would defeat his renomination by the usual caucus of Republican members of the legislature, became the candidate of a public meeting at New York, and of a minority caucus, and asked help from the

Federalists. Such an alliance always seemed monstrous only to the Republican faction that felt strong enough without it. The regular legislative caucus, controlled by the Clintonians, nominated Daniel D. Tompkins, then a judge of the Supreme Court, and for years after the Republican "warhorse." Van Buren adhered to the purer, older, and less patrician Democracy of the Clintonians. Tompkins was elected, with a Clintonian legislature; and the result secured Van Buren's first appointment to public office. A Clintonian council of appointment was chosen. The council, a complex monument of the distrust of executive power with which George III. had filled his revolted subjects, was composed of five members, being the governor and one member from each of the four senatorial districts, who were chosen by the Assembly from among the six senators of the district. The four senatorial members of the council were always, therefore, of the political faith of the Assembly, except in cases where all the senators from a district belonged to the minority party in the Assembly. To this council belonged nearly every appointment in the State, even of local officers. Prior to 1801 the governor appointed, with the advice and consent of the council. After the constitutional amendment of that year, either member of the council could nominate, the appointment being made by the majority. Van Buren became surrogate of Columbia county on February 20, 1808. There was no prescribed term of office, the commission really running until the opposition party secured the council of appointment. Van Buren held the office about five years and until his removal on March 19, 1813, when his adversaries had secured control of the council.

At this time the system of removing the lesser as well as the greater officers of government for political reasons was well established in New York. It is impossible to realize the nature of Van Buren's political education without understanding this old system of proscription, whose influence upon American public life has been so prodigious. The strife over the Federal Constitution had been fierce. Its friends, after their victory, sought, neither unjustly nor unnaturally, to punish Governor Clinton for his opposition. Although Washington wished to stand neutral between parties, he still believed it politically suicidal to appoint officers not in sympathy with his administration.[1] Hamilton undoubtedly determined the New York appointments ´when the new government was launched, and they were made from the political enemies of Governor Clinton, — a course provoking an animosity which not inprobably appeared in the more numerous state appointments controlled by Clinton and the Republican council. After the excesses of the French Revolution the Republicans were denounced as Jacobins and radicals, dangerous in politics and corrupt in morals. The family feuds aided and exaggerated the divisions in this small community of freehold voters. Appointments were made in the federal and state services for political reasons and for family reasons, precisely as they had long been made in England. Especially along the rich river counties from New York to the upper Hudson were so distributed the lucrative offices, which were eagerly sought for their profit as well as for their honor.

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[1] "I shall not, whilst I have the honor to administer the government, bring a man into any office of consequence, knowingly, whose political tenets are adverse to the measures which the general government are pursuing; for this, in my opinion, would be a sort of political suicide." — Washington to Pickering, secretary of war, September 27, 1795. Vol. 11 of Sparks's edition of *Washington's Writings*, 74.

The contests were at first for places naturally vacated by death or resignation; the idea of the property right of an incumbent actually in office lingered until after the last century was out. It is not clear when the first removals of subordinate officers took place for political reasons. Some were made by the Federalists during Governor Jay's administration; but the first extensive removals seem to have occurred after the elections of 1801. For this there were two immediate causes. In that year the exclusive nominating power of the governor was taken from him. Each of the other four members of the council of appointment could now nominate as well as confirm. Appointments and removals were made, therefore, from that year until the new Constitution of 1821, by one of the worst of appointing bodies, a commission of several men whose consultations were secret and whose responsibility was divided. Systematic abuse of the power of appointment became inevitable. There was, besides, a second reason in the anger against Federalists, which they had gone far to provoke, and against their long and by no means gentle domination. This anger induced the Republicans to seek out every method of punishment. But for this, the abuse might have been long deferred. Nor is it unlikely that the refusal of Jefferson, inaugurated in March of that year, to make a "clean sweep" of his enemies, turned the longing eyes of embittered Republicans in New York more eagerly to the fat state offices enjoyed by their insolent adversaries of the past twelve years.

The Clintons and Livingstons had led the Republicans to a victory at the state election in April, 1801. Later in that year George Clinton, now again governor, called together the new council with the nominating power vested in every one of its five members. This council acted under distinguished auspices, and it deserves to be long remembered. Governor Clinton presided, and his famous nephew, De Witt Clinton, was below him in the board. The latter represented the Clintonian Republicans.[1] Ambrose Spencer, a man of great parts and destined to a notable career, represented the Livingstons, of whom he was a family connection. Roseboom, the other Republican, was easily led by his two abler party associates. The fifth member did not count, for he was a Federalist. Two of the three really distinguished men of this council, De Witt Clinton and Ambrose Spencer, it is not unjust to say, first openly and responsibly established in New York the "spoils system" by removals, for political reasons, of officers not political. The term of office of the four senatorial members of this council had commenced while the illustrious Federalist John Jay was governor; but they rejected his nominations until he was tired of making them, and refused to call them together. When Clinton took the governor's seat, he promptly summoned the board, and in August, 1801, the work began. De Witt Clinton publicly formulated the doctrine, but it did not yet reach its extreme form. He said that the principal executive offices in the State ought to be filled by the friends of the administration, and the more unimportant offices ought to be proportionately distributed between the two parties. The council rapidly divided the chief appointments among the Clintons and Livingstons and their personal supporters. Officers were selected whom Jay had refused to appoint. Edward Livingston, the chancellor's brother, was given the mayoralty of New York, a very profitable as well as important station; Thomas Tillotson, a brother-in-law of Chancellor Livingston, was made secretary of state, in place of Daniel Hale, removed; John V. Henry, a distinguished Federalist lawyer, was removed from the comptrollership; the district attorney, the clerk and the recorder of New York were removed; William Coleman, the founder of the "Evening Post," and a strong adherent of Hamilton, was turned out of the clerkship of the Circuit Court. And so the work went on through minor offices. New commissions were required by the Constitution to be issued to the puisne judges of the county courts and to justices of the peace throughout the State once in three years. Instead of renewing the commissions and preserving continuity in the administration of justice, the council struck out the names of Federalists and inserted those of Republicans. The proceedings of this council of 1801 have profoundly affected the politics of New York to this day. Few political bodies in America have exercised as serious and lasting an influence upon the political habits of the nation. The tradition that Van Buren and the Albany Regency began political proscription is untrue. The system of removals was thus established several years before Van Buren held his first office. Its founders, De Witt Clinton and Ambrose Spencer, were long his political enemies. Governor Clinton, whose honorable record it was that during the eighteen years of his governorship he had never consented to a political removal, entered his protest — not a very hearty one, it is to be feared — in the journal of the council; but in vain. In the next year the two chief offenders were promoted, — De Witt Clinton to be United States senator in the place of General Armstrong, a brother-in-law of Chancellor Livingston, and Ambrose Spencer to be attorney-general; and two years later Spencer became a judge of the Supreme Court.

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[1] I use the political name then in vogue. The greater part of the Republicans have, since the rearrangement of parties in John Quincy Adams's time, or rather since Jackson's time, been known as Democrats.

After the removals there began a disintegration of the party hitherto successfully led by Burr, the Clintons, and the Livingstons. Colonel Swartwout, Burr's friend, was called by De Witt Clinton a liar, scoundrel and villain ; although, after receiving two bullets from Clinton's pistol in a duel, he was assured by the latter, with the courtesy of our grandfathers, that there was no personal animosity. Burr's friends had of course to be removed. But in 1805, after the Clintons and the Livingstons had united in the election of Lewis as governor over Burr, they too quarreled, — and naturally enough, for the offices would not go around. So, after the Clintonians on the meeting of the legislature early in 1806 had captured the council, they turned upon their recent allies. Maturin Livingston was removed from the New York recordership, and Tillotson from his place as secretary of state. The work was now done most thoroughly. Sheriffs, clerks, surrogates, county judges, justices of the peace, had to go. But at the corporation election in New York in the same year, the Livingstonians and Federalists, with a majority of the common council, in their fashion righted the wrong, and, with a vigor not excelled by their successors a half century later, removed at once all the subordinate municipal officers subject to their control who were Clintonians. In 1807 the Livingstonian Republicans, or, as they were now called from the governor, the Lewisites, with the Federalists and Burrites, secured control of the state council; and proceeded promptly to the work of removals, defending it as a legitimate return for the proscriptive course of their predecessors. In 1808 the Clintonians returned to the council, and, through its now familiar labors, to the offices from which the Lewisites were in their turn driven. In 1810 the Federalists controlled the Assembly which chose the council; and they enjoyed a "clean sweep" as keenly as had the contending Republican factions. But the election of this year, the political record tells us, taught a lesson which politicians have ever since refused to learn, perhaps because it has not always been taught. The removal of the Republicans from office "had the natural tendency to call out all their forces." The Clintonians in 1811, therefore, were enabled by the people to reverse the Federalist proscription of 1810. The Federalists, again in power in 1813, again followed the uniform usage then twelve years old. Political removals had become part of the unwritten law.

At this time Van Buren suffered the loss of his office as surrogate, but doubtless without any sense of private or public wrong. It was the customary fate of war. In 1812 he was nominated for state senator from the middle district, composed of

Columbia, Dutchess, Orange, Ulster, Delaware, Chenango, Greene, and Sullivan counties, as the candidate of the Clintonian Republicans against Edward P. Livingston, the candidate of the Lewisites or Livingstonians and Burrites as well as the Federalists. Livingston was the sitting member, and a Republican of powerful family and political connections. Van Buren, not yet thirty, defeated him by a majority of less than two hundred out of twenty thousand votes. In November, 1812, he took his seat at Albany, and easily and within a few months reached a conspicuous and powerful place in state politics.

These details of the establishment of the "spoils system" in New York politics seem necessary to be told, that Van Buren's own participation in the wrong may be fairly judged. It is a common historical vice to judge the conduct of men of earlier times by standards which they did not know. Van Buren found thoroughly and universally established at Albany, when he entered its life, the rule that, upon a change in the executive, there should be a change in the offices, without reference to their political functions. He had in his own person experienced its operation both to his advantage and to his disadvantage. Federalists and Republicans were alike committed to the rule. The most distinguished and the most useful men in active public life, whatever their earlier opinion might have been, had acquiesced and joined in the practice. Nor was the practice changed or extended after Van

Buren came into state politics. It continued as it had thus begun, until he became a national figure. Success in it required an ability and skill of which he was an easy master; nor does he seem to have shrunk from it. But he was neither more nor less reprehensible than the universal public sense about him. For it must be remembered that the "spoils system" was not then offensive to the more enlightened citizens of New York. The system was no excess of democracy or universal suffrage. It had arisen amidst a suffrage for governor and senators limited to those who held in freehold land worth at least £100, and for assemblymen limited to those who held in freehold land worth £20, or paid a yearly rent of forty shillings, and who were rated and actually paid taxes. It was practiced by men of aristocratic habits chosen by the well-to-do classes. It grew in the disputes of great family interests, and in the bitterness of popular elements met in a new country, still strange or even foreign to one another, and permitted by their release from the dangers of war and the fear of British oppression to indulge their mutual dislikes.

The frequent "rotation" in office which was soon to be pronounced a safeguard of republican institutions, and which Jackson in December, 1829, told Congress was a "leading principle in the Republicans' creed," was by no means an unnatural step towards an improvement of the civil service of the State. Reformers of our day lay great stress upon the fundamental rule of democratic government, that a public office is simply a trust for the people; and they justly find the chief argument against the abuses of patronage in the notorious use of office for the benefit of small portions of the people, to the detriment of the rest. In England, however, for centuries (and to some extent the idea survives there in our own time), there was in an office a quality of property having about it the same kind of sacred immunity which belongs to real or personal estate. There were reversions to offices after the deaths of their occupants, like vested remainders in lands. It was offensive to the ordinary sense of decency and justice that the right of a public officer to appropriate so much of the public revenue should be attacked. It did not offend the public conscience that great perquisites should belong to officers performing work of the most trifling value or none at all. The same practices and traditions, weakened by distance from England and by the simpler life and smaller wealth of the colonists, came to our forefathers. They existed when the democratic movement, stayed during the necessities of war and civil reconstruction, returned at the end of the last century and became all-powerful in 1801. To break this idea of property and right in office, to make it clear that every office was a mere means of service of the people at the wish of the people, there seemed, to very patriotic and generally very wise men, no simpler way than that the people by their elections should take away and distribute offices in utter disregard of the interests of those who held them. The odious result to which this afterwards led, of making offices the mere property of influential politicians, was but imperfectly foreseen. Nor did that result, inevitable as it was, follow for many years. There seems no reason to believe that the incessant and extensive changes in office which began in 1801, seriously lowered the standard of actual public service until years after Van Buren was a powerful and conspicuous politician. Political parties were pretty generally in the hands of honest men. The prostituted and venal disposition of "spoils," though a natural sequence, was to come long after. Rotation was practiced, or its fruits were accepted and enjoyed with satisfaction, by public men of the State who were really statesmen, who had high standards of public honor and duty, whose minds were directed towards great and exalted public ends. If it seemed right to De Witt Clinton, Edward Livingston, Robert R. Livingston, and Ambrose Spencer, surely lesser gods of our early political Olympus could not be expected to refuse its advantages or murmur at its hardships. Nor was the change distasteful to the people, if we may judge by their political behavior. No faction or party seems to have been punished by public sentiment for the practice except in conspicuous cases like those of De Witt Clinton and Van Buren, where sometimes blows aimed at single men roused popular and often an undeserved sympathy. The idea that a public officer should easily and naturally go from the ranks of the people without special equipment, and as easily return to those ranks, has been popularly agreeable wherever the story of Cincinnatus has been told. Early in this century the closeness of offices to ordinary life, and the absence of an organized bureaucracy controlling or patronizing the masses of men, seemed proper elements of the great democratic reform. There had not yet arisen the very modern and utilitarian and the vastly better conception of a service, the responsible directors of whose policy should be changed with popular sentiment, but whose subordinates should be treated by the public as any other employer would treat them, upon simple and unsentimental rules of business. Another practical consideration makes more intelligible the failure of our ancestors to perceive the dangers of the great change they permitted. Offices were not nearly as technical, their duties not nearly as uniform, as they have grown to be in the more complex procedures of our enormously richer and more populous time. Every officer did a multitude of things. Intelligent and active men in unofficial life shifted with amazing readiness and success from one calling to another. A general became a judge, or a judge became a general, — as, indeed, we have seen in later days. A merchant could learn to survey; a farmer could keep or could learn to keep fair records.

In the art of making of the lesser offices ammunition with which to fight great battles over great questions, Van Buren became a master. His imperturbable temper and patience, his keen reading of the motives and uses of men, gave him so firm a hold upon politicians that it has been common to forget the undoubted hold he long had upon the people. In April, 1816, he was reëlected senator for a second term of four years. His eight years of service in the senate expired in 1820.

In November, 1812, the first session of the new legislature was held to choose presidential electors. Not until sixteen years later were electors chosen directly by the people. Van Buren voted for the candidates favorable to De Witt Clinton for president as against Madison. In the successful struggle of the Clintonians for these electors, he is said in this, his first session, to have shown the address and activity which at once made him a Republican leader. For his vote against Madison Van Buren's friends afterwards made many apologies; his adversaries declared it unpardonable treachery to one of the revered Democratic fathers. But the young politician was not open to much condemnation. De Witt Clinton, though he had but just reached the beginning of middle life, was a very able and even an illustrious man. He had been unanimously nominated in an orderly way by a caucus of the Republican members of the legislature of 1811 and 1812 of which Van Buren was not a member. He had accepted the nomination and had declined to withdraw from it. There was a strong Republican opposition to the declaration of war at that time, because preparation for it had not been adequately made. Most of the Republican members of Congress from New York had voted against the declaration. The virtues and abilities of Madison were not those likely to make a successful war, as the event amply proved. There was natural and deserved discontent with the treatment by Jefferson's administration, in which Madison had charge of foreign relations, and by Madison's own administration, of the difficulties caused by the British Orders in Council, the Berlin and Milan decrees of Napoleon, and the unprincipled depredations of both the great belligerents. Van Buren is said by Butler, then an inmate of his family, to have been an open and decided advocate of the embargo, and of all the strong measures proposed against Great Britain and of the war itself. Nor was this very inconsistent with his vote for Clinton. He had a stronger sense of allegiance to his party in the State than to his party at Washington; and the Republican party of New York had regularly declared for Clinton. For once at least Van Buren found himself voting with the great body of the Federalists, men who had not, like John Quincy Adams, become reconciled to the strong and obvious, though sometimes ineffective, patriotism of Jefferson's and Madison's administrations. But whatever had been the motives which induced Van Buren to support Clinton, they soon ceased to operate. Within a few months after this the political relations between the two men were dissolved; and they were politically hostile, until Clinton's death fourteen years afterwards called from Van Buren a pathetic tribute.

Although the youngest man but one, it was said, until that time elected to the state senate, Van Buren was in January, 1814, chosen to prepare the answer then customarily made to the speech of the governor. In it he defended the war, which had been bitterly assailed in the address to the governor made by the Federalist Assembly. Political divisions even when carried to excess were, he said, inseparable from the blessings of freedom; but such divisions were unfit in their resistance of a foreign enemy. The great body of the New York Republicans, with Governor Tompkins at their head, now gave Madison vigorous support; although their defection in 1812 had probably made possible the Federalist success at the election for the Assembly in 1813, which embarrassed the national administration. Van Buren warmly supported Tompkins for his reëlection in April, 1813, and prepared for the legislative caucus a highly declamatory, but clear and forcible, address to Republican electors in his behalf. The provocations to war were strongly set out. It was declared that "war and war alone was our only refuge from national degradation;" the "two great and crying grievances" were "the destruction of our commerce, and the impressment of our seamen;" for Americans did not anticipate the surrender at Ghent two years later to the second wrong. While

American sailors' "deeds of heroic valor make old Ocean smile at the humiliations of her ancient tyrant," the address urged Americans to mark the man, meaning the trading Federalist, who believed "in commuting our sailors' rights for the safety of our merchants' goods." In the sophomoric and solemn rhetoric of which Americans, and Englishmen too, were then fond, it pointed out that the favor of citizens was not sought "by the seductive wiles and artful blandishments of the corrupt minions of aristocracy," who of course were Federalists, but that citizens were now addressed "in the language which alone becomes freemen to use, — the language to which alone it becomes freemen to listen."

In the legislative sessions of 1813 and 1814 Van Buren gave a practical and skillful support to administration measures. But many of them were balked by the Federalists, until in the election of April, 1814, the rising patriotism of the country, undaunted by the unskillful and unfortunate conduct of the war, pronounced definitely in favor of a strong war policy. The Republicans recovered control of the Assembly; and there were already a Republican governor and Senate. An extra session was summoned in September, 1814, through which exceedingly vigorous measures were carried against Federalist opposition. Van Buren now definitely led. Appropriations were made from the state treasury for the pay of militia in the national service. The State undertook to enlist twelve thousand men for two years, a corps of sea fencibles consisting of twenty companies, and two regiments of colored men; slaves enlisting with the consent of their masters to be freed. Van Buren's "classification act" Benton afterwards declared to be the "most energetic war measure ever adopted in this country." By it the whole military population was divided into 12,000 classes, each class to furnish one able-bodied man, making the force of 12,000 to be raised. If no one volunteered from a class, then any member of the class was authorized to procure a soldier by a bounty, the amount of which should be paid by the members of the class according to their ability, to be determined by assessors. If no soldier from the class were thus procured, then a soldier was to be peremptorily drafted from each class. Van Buren was proud enough of this act to file the draft of it in his own handwriting with the clerk of the Senate, indorsed by himself: "The original Classification Bill, to be preserved as a memento of the patriotism, intelligence, and firmness of the legislature of 1814–15. M. V. B. Albany, Feb. 15, 1815."

Cheered, after many disasters, by the victory at Plattsburg and the creditable battle of Lundy's Lane, the Senate, in Van Buren's words, congratulated Governor Tompkins upon "the brilliant achievements of our army and navy during the present campaign, which have pierced the gloom that for a time obscured our political horizon." The end of the war left in high favor the Republicans who had supported it. The people were good-humoredly willing to forget its many inefficiencies, to recall complacently its few glories, and to find little fault with a treaty which, if it established no disputed right, at least brought peace without surrender and without dishonor. Jackson's fine victory at New Orleans after the treaty was signed, though it came too late to strengthen John Quincy Adams's dauntless front in the peace conference, was quickly seized by the people as the summing up of American and British prowess. The Republicans now had a hero in the West, as well as a philosopher at Monticello. Van Buren drafted the resolution giving the thanks of New York "to Major-General Jackson, his gallant officers and troops, for their wonderful and heroic victory."

In the method then well established the Republicans celebrated their political success in 1814. Among the removals, Abraham Van Vechten lost the post of attorney-general, which on February 17, 1815, was conferred upon Van Buren for his brilliant and successful leadership in the Senate. He remained, however, a senator of the State. At thirty-two, therefore, he was, next to the governor, the leader of the Tompkins Republicans, now so completely dominant; he held two political offices of dignity and importance; and he was conducting besides an active law practice.

De Witt Clinton, after his defeat for the presidency, suffered other disasters. It was in January, 1813, that he and Van Buren broke their political relations; and the Republicans very largely fell off from him. The reasons for this do not clearly appear; but were probably Clinton's continuance of hostility to the national administration, which seemed unpatriotic to the Republicans, and some of the mysterious matters of patronage in which Clinton had been long and highly proscriptive. In 1815 the latter was removed from the mayoralty of New York by the influence of Governor Tompkins in the council. He had been both mayor and senator for several years prior to 1812. He was mayor and lieutenant-governor when he was a candidate for the presidency.

In 1816 the Republicans in the Assembly, then closely divided between them and the Federalists (who seemed to be favored by the apportionment), sought one of those immoral advantages whose wrong in times of high party feeling seems invisible to men otherwise honorable. In the town of Pennington a Federalist, Henry Fellows, had been fairly elected to the Assembly by a majority of 30; but 49 of his ballots were returned as reading "Hen. Fellows;" and his Republican competitor, Peter Allen, got the certificate of appointment. The Republicans, acting, it seems, in open conference with Van Buren, insisted not only upon organizing the house, which was perhaps right, but upon what was wrong and far more important. They elected the council of appointment before Fellows was seated, as he afterwards was by an almost unanimous vote. The "Peter Allen legislature" is said to have become a term of reproach. But, as with electoral abuses in later days, the Federalists were not as much aided as they ought to have been by this sharp practice of their rivals; the people perhaps thought that, as they were in the minority everywhere but in the Assembly, they ought not to have been permitted, by a capture of the council, to remove the Republicans in office.

At any rate the election in April, 1816, while the "Peter Allen legislature" was still in office, went heavily in favor of the Republicans, Van Buren receiving his second election to the Senate. On March 4, 1816, he was chosen by the legislature a regent of the University of the State of New York, an office which he held until 1829. The University was then, as now, almost a myth, being supposed to be the associated colleges and academies of the State. But the regents have had a varying charge of educational matters.

In 1817 the agitation, so superbly and with such foresight conducted by De Witt Clinton, resulted in the passage of the law under which the construction of the Erie Canal began. Van Buren's enmity to Clinton did not cause him to oppose the measure, of which Hammond says he was an "early friend." With a few others he left his party ranks to vote with Clinton's friends; and this necessary accession from the "Bucktails" is said by the same fair historian to have been produced by Van Buren's "efficient and able efforts."

In his speech favoring it he declared that his vote for the law would be "the most important vote he ever gave in his life;" that "the project, if executed, would raise the State to the highest possible pitch of fame and grandeur," an expression not discredited by the splendid and fruitful result of the enterprise. Clinton, after hearing the speech, forgot for a moment their political collisions, and personally thanked Van Buren.

In April, 1817, Clinton was elected governor by a practically unanimous vote. His resolute courage and the prestige of the canal policy compelled this tribute from the Republicans, in spite of his sacrilegious presidential aspiration in 1812, and his dismissal from the mayoralty of New York in 1815. Governor Tompkins, now vice-president, was Clinton's only peer in New York politics. The popular tide was too strong for the efforts of Tompkins, Van Buren, and their associates. In the eagerness to defeat Clinton, it was even suggested that Tompkins should serve both as governor and vice-president; should be at once ruler at Albany and vice-ruler at Washington. Van Buren did not, however, go with the hot-heads of the legislature in opposing a bill for an election to fill the vacancy left by the resignation, which it was at last thought necessary for Tompkins to make, of the governorship. No one dared run against Clinton; and he triumphantly returned to political power. Under this administration of his, the party feud took definite form. Clinton's Republican adversaries were dubbed "Bucktails" from the ornaments worn on ceremonial occasions by the Tammany men who had long been Clinton's enemies. The Bucktails and their successors were the "regular" Republicans, or the Democrats as they were later called; and they kept their regularity until, long afterwards, the younger and greater Bucktail leader, when venerable and laden with honors, became the titular head of the Barnburner defection. The merits of the feud between Bucktails and Clintonians it is now difficult to find. Each accused the other of coquetting with the Federalists; and the accusation was nearly always true of one or the other of them. Politics was a highly developed and extremely interesting game, whose players, though really able and patriotic men, were apparently careless of the undignified parts they were playing. Nor are Clintonians and Bucktails alone in political history. Cabinets of the greatest nations have, in more modern times, broken on grounds as sheerly personal as those which divided Clinton and Van Buren in 1818. British and French ministries, as recent memoirs and even recent events have shown, have fallen to pieces in feuds of as little essential dignity as belonged to those of New York seventy years ago.

In 1819 the Bucktails suffered the fate of war; and Van Buren, their efficient head, was removed from the attorney-general's office. Thurlow Weed, then a country editor, grotesquely wrote at the time that "rotation in office is the most striking and brilliant feature of excellence in our benign form of government; and that by this doctrine, bottomed, as it is, upon the Magna Charta of our liberties, Van Buren's removal was not only sanctioned, but was absolutely required." The latter still remained state senator, and soon waged a short and decisive campaign to recover political mastery. He now came to the aid of Governor Tompkins, who during the war with England had borrowed money for public use upon his personal responsibility, and in the disbursement of several millions of dollars for war purposes had, through carelessness in bookkeeping or clerical detail, apparently become a debtor of the State. The comptroller, in spite of a law passed in 1819 to indemnify Tompkins for his patriotic services, took a hostile attitude which threatened the latter with pecuniary destruction. In March, 1820, Van Buren threw himself into the contest with a skill and generous fervor which saved the ex-governor. Van Buren's speech of two days for the old chief of the Bucktails, is described by Hammond, a political historian of New York not unduly friendly to Van Buren, to have been "ingenious, able, and eloquent."

It was also in 1820 that Van Buren promoted the reëlection of Rufus King, the distinguished Federalist, to the United States Senate. His motives in doing this were long bitterly assailed; but as the choice was intrinsically admirable, Van Buren was probably glad to gratify a patriotic impulse which was not very inconsistent with party advantage. In 1819 the Republican caucus, the last at which the Bucktails and Clintonians both attended, was broken up amid mutual recriminations. John C. Spencer, the son of Ambrose Spencer, and afterwards a distinguished Whig, was the Clintonian candidate, and had the greater number of Republican votes. In the legislature there was no choice, Rufus King having fewer votes than either of the Republicans. When the legislature of 1820 met, there appeared a pamphlet skillfully written in a tone of exalted patriotism. This decided the election for King. Van Buren was its author, and was said to have been aided by William L. Marcy. Both had suffered at the hands of Clinton. However much they may have been so influenced in secret, they gave in public perfectly sound and weighty reasons for returning this old and distinguished statesman to the place he had honored for many years. In 1813 King had received the votes of a few Republicans, without whom he would have been defeated by a Republican competitor. The Clintonians and their adversaries had since disputed which of them had then been guilty of party disloyalty. But it can hardly be doubted that King's high character and great ability, with the revolutionary glamour about him, made his choice seem patriotic and popular, and therefore politically prudent.

Van Buren's pamphlet of 1820 was addressed to the Republican members of the legislature by a "fellow-member" who told them that he knew and was personally known to most of them, and that he had, "from his infancy, taken a deep interest in the honor and prosperity of the party." This anonymous "fellow-member" pronounced the support of King by Republicans to "be an act honorable to themselves, advantageous to the country, and just to him." He declared that the only reluctance Republicans had to a public avowal of their sentiments arose from a "commendable apprehension that their determination to support him under existing circumstances might subject them to the suspicion of having become a party to a political bargain, to one of those sinister commutations of principle for power, which they think common with their adversaries, and against which they have remonstrated with becoming spirit." He showed that there were degrees even among Federalists; that some in the war had been influenced by "most envenomed malignity against the administration of their own government;" that a second and "very numerous and respectable portion" had been those "who, inured to opposition and heated by collision, were poorly qualified to judge dispassionately of the measures of government," who thought the war impolitic at the time, but who were ignorantly but honestly mistaken; but that a third class of them had risen "superior to the prejudices and passions of those with whom they once acted." In the last class had been Rufus King; at home and in the Senate he had supported the administration; he had helped procure loans to the State for war purposes. The address skillfully recalled his Revolutionary services, his membership in the convention which framed the Federal Constitution, his appointment by Washington as minister to the English court, and his continuance there under Jefferson. He was declared to be opposed to Clinton. The address concluded by reciting that there had been in New York "exceptionable and unprincipled political bargains and coalitions," which with darker offenses ought to be proved, to vindicate the great body of citizens "from the charge of participating in the profligacy of the few, and to give rest to that perturbed spirit which now haunts the scenes of former moral and political debaucheries;" but added that the nature of a vote for King precluded such suspicions.

The last statement was just. King's return was free from other suspicion than that he probably preferred the Van Buren to the Clinton Republicans. Van Buren, seeing that the Federalist party was at an end, was glad both to do a public service and to ally with his party, in the divisions of the future, some part of the element so finely represented by Rufus King. In private Van Buren urged the support of King even more emphatically. "We are committed," he wrote, "to his support. It is both wise and honest, and we must have no fluttering in our course. Mr. King's views towards us are honorable and correct. . . . Let us not, then, have any halting. I will put my head on its propriety." Van Buren's partisanship always had a mellow character. He practiced the golden rule of successful politics, to foresee future benefits rather than remember past injuries. Indeed, it is just to say more. In sending King to the Senate he doubtless experienced the lofty pleasure which a politician of public spirit feels in his occasional ability to use his power to reach a beneficent end, which without the power he could not have reached, — a stroke which to a petty politician would seem dangerous, but which the greater man accomplishes without injury to his party standing. A year or two after King's election, when Van Buren joined him at Washington, there were established the most agreeable relations between them. The refinement and natural decorum of the younger man easily fell in with the polished and courtly manner of the old Federalist. Benton, who had then just entered the Senate, said it was delightful to behold the deferential regard which Van Buren paid to his venerable colleague, a regard always returned by King with marked kindness and respect.

In this year the era of good feeling was at its height. Monroe was reëlected president by an almost unanimous vote, with Tompkins again as vice-president. The good feeling, however, was among the people, and not among the politicians. The Republican party was about to divide by reason of the very completeness of its supremacy. The Federalist party was extinguished and its members scattered. The greater number of them in New York went with the Clintonian Republicans, with whom they afterwards formed the chief body of the Whig party. A smaller number of them, among whom were James A. Hamilton and John C. Hamilton, the sons of the great founder of the Federalist party, William A. Duer, John A. King (the son of the reëlected senator), and many others of wealth and high social position, ranged themselves for a time in the Bucktail ranks under Van Buren's leadership. In the slang of the day, they were the "high-minded Federalists," because they had declared that Clinton's supporters practiced a personal subserviency "disgusting to high-minded and honorable men." With this addition, the Bucktails became the Democratic party in New York. In April, 1820, the gubernatorial election was between the Clintonians supporting Clinton, and the Bucktails supporting Tompkins, the Vice-President. Clinton's recent and really magnificent public service made him successful at the polls, but his party was beaten at other points.

Rufus King's reëlection to the Senate was believed to have some relation to the Missouri question, then agitating the nation. In one of his letters urging his Republican associates to support King, Van Buren declared that the Missouri question concealed no plot so far as King was concerned, but that he, Van Buren, and his friends, would "give it a true direction." King's strong opposition to the admission of Missouri as a slave State was, however, perfectly open. If he returned to the Senate, it was certain he would steadily vote against any extension of slavery. Van Buren knew all this, and doubtless meant that King was bargaining away none of his convictions for the senatorship. But what the "true direction" was which was to be given the Missouri question, is not clear. About the time of King's reëlection Van Buren joined in calling a public meeting at Albany to protest against extending slavery beyond the Mississippi. He was absent at the time of the meeting, and refused the use of his name upon the committee to send the anti-slavery resolutions to Washington. Nor is it clear whether his absence and refusal were significant. He certainly did not condemn the resolutions; and in January, 1820, he voted in the state Senate for an instruction to the senators and representatives in Congress "to oppose the admission, as a State in the Union, of any territory not comprised within the original boundary of the United States, without making the prohibition of slavery therein an indispensable condition of admission." This resolution undoubtedly expressed the clear convictions of the Republicans in New York, whether on Van Buren's or Clinton's side, as well as of the remaining Federalists.

Van Buren's direct interest in national politics had already begun. In 1816 he was present in Washington (then a pretty serious journey from Albany) when the Republican congressional caucus was held to nominate a president. Governor

Tompkins, after a brief canvass, retired; and Crawford, then secretary of war, became the candidate against Monroe, and was supported by most of the Republicans from New York. Van Buren's preference was not certainly known, though it is supposed he preferred Monroe. In 1820 he was chosen a presidential elector in place of an absentee from the electoral college, and participated in the all but unanimous vote for Monroe. He voted with the other New York electors for Tompkins for the vice-presidency. In April, 1820, he wrote to Henry Meigs, a Bucktail congressman then at Washington, that the rascality of some of the deputy postmasters in the State was intolerable, and cried aloud for relief; that it was impossible to penetrate the interior of the State with friendly papers; and that two or three prompt removals were necessary. The postmaster-general was to be asked "to do an act of justice and render us a partial service" by the removal of the postmasters at Bath, Little Falls, and Oxford, and to appoint successors whom Van Buren named. In January, 1821, Governor Clinton sent this letter to the legislature, with a message and other papers so numerous as to be carried in a green bag, which gave the name to the message, in support of a charge that the national administration had interfered in the state election. But the "green-bag message" did Van Buren little harm, for Clinton's own proscriptive rigor had been great, and it was only two years before that Van Buren himself had been removed from the attorney-generalship. In 1821 the political division of the New York Republicans was carried to national politics. When a speaker was to be chosen in place of Clay, Taylor of New York, the Republican candidate, was opposed by the Bucktail congressmen, because he had supported Clinton.

In February, 1821, Van Buren gained the then dignified promotion to the federal Senate. He was elected by the Bucktails against Nathan Sanford, the sitting senator, who was supported by the Clintonians and Federalists. Van Buren was now thirty-eight years old, and in the early prime of his powers. He had run the gauntlet of two popular elections; he had been easily first among the Republicans of the state Senate; he had there shown extraordinary political skill and an intelligent and public spirit; he had ably administered the chief law office of the State which was not judicial. Though not yet keenly interested in any federal question, — for his activity and thought had been sufficiently engaged in affairs of his own State, — he turned to the new field with an easy confidence, amply justified by his mastery of the problems with which he had so far grappled. He reached Washington the undoubted leader of his party in the State. The prestige of Governor Tompkins, although just reëlected vice-president, had suffered from his recent defeat for the governorship, and from his pecuniary and other difficulties; and besides, he obviously had not Van Buren's unrivaled equipment for political leadership.

Before Van Buren attended his first session in the federal capital he performed for the public most honorable service in the state constitutional convention which sat in the autumn of 1821. This body illustrated the earnest and wholesome temper in which the most powerful public men of the State, after many exhibitions of partisan, personal, and even petty animosities, could treat so serious and abiding a matter as its fundamental law. The Democrats sent Vice-President Tompkins, both the United States senators, King and Van Buren, the late senator, Sanford, and Samuel Nelson, then beginning a long and honorable career. The Clintonians and Federalists sent Chancellor Kent and Ambrose Spencer, the chief justice. Van Buren was chosen from Otsego, and not from his own county, probably because the latter was politically unfavorable to him.

This convention was one of the steps in the democratic march. It was called to broaden the suffrage, to break up the central source of patronage at Albany, and to enlarge local self-administration. The government of New York had so far been a freeholders' government, with those great virtues, and those greater and more enduring vices, which were characteristic of a government controlled exclusively by the owners of land. The painful apprehension aroused by the democratic resolution to reduce, if not altogether to destroy, the exclusive privileges of land-owners, was expressed in the convention by Chancellor Kent.

He would not "bow before the idol of universal suffrage;" this extreme democratic principle, he said, had "been regarded with terror by the wise men of every age;" wherever tried, it had brought "corruption, injustice, violence, and tyranny;" if adopted, posterity would "deplore in sackcloth and ashes the delusion of the day." He wished no laws to pass without the free consent of the owners of the soil. He did not foresee English parliaments elected in 1885 and 1886 by a suffrage not very far from universal, or a royal jubilee celebrated by democratic masses, or the prudent conservatism in matters of property of the enfranchised French democracy, — he foresaw none of these when he declared that England and France could not sustain the weight of universal suffrage; that "the radicals of England, with the force of that mighty engine, would at once sweep away the property, the laws, and the liberty of that island like a deluge." Van Buren distinguished himself in the debate. Upon this exciting and paramount topic he did not share the temper which possessed most of his party. His speech was clear, explicit, philosophical, and really statesmanlike. It so impressed even his adversaries; and Hammond, one of them, declared that he ought for it to be ranked "among the most shining orators and able statesmen of the age."

In reading this, or indeed any of the utterances of Van Buren where the occasion required distinctness, it is difficult to find the ground of the charge of "noncommittalism" so incessantly made against him. He doubtless refrained from taking sides on questions not yet ripe for decision, however clear, and whatever may have been his speculative opinions. But this is the duty of every statesman; it has been the practice of every politician who has promoted reform. Van Buren now pointed out how completely the events of the forty years past had discredited the grave speculative fears of Franklin, Hamilton, and Madison as to the result of some provisions of the Federal Constitution. With Burke he believed experience to be the only unerring touchstone. He conclusively showed that property had been as safe in those American communities which had universal suffrage as in the few which retained a property qualification; that venality in voting, apprehended from the change, already existed in the grossest forms at the parliamentary elections of England. Going to the truth which is at the dynamic source of democratic institutions, he told the chancellor that when among the masses of America the principles of order and good government should yield to principles of anarchy and violence and permit attacks on private property or an agrarian law, all constitutional provisions would be idle and unavailing, because they would have lost all their force and influence. With a true instinct, however, Van Buren wished the steps to be taken gradually. He was not yet ready, he said, to admit to the suffrage the shifting population of cities, held to the government by no other ties than the mere right to vote. He was not ready for a really universal suffrage. The voter ought, if he did not participate in the government by paying taxes or performing militia duty, to be a man who was a householder with some of the elements of stability, with something at stake in the community. Although they had reached "the verge of universal suffrage," he could not with his Democratic friends take the "one step beyond;" he would not cheapen the invaluable right by conferring it with indiscriminating hand "on every one, black or white, who would be kind enough to condescend to accept it." Though a Democrat he was opposed, he said, to a "precipitate and unexpected prostration of all qualifications;" he looked with dread upon increasing the voters in New York city from thirteen or fourteen thousand to twenty-five thousand, believing (curious prediction for a father of the Democratic party!) that the increase "would render their elections rather a curse than a blessing," and "would drive from the polls all sober-minded people."

The universal suffrage then postponed was wisely adopted a few years later. Democracy marched steadily on; and Van Buren was willing, probably very willing, to be guided by experience. He opposed in the convention a proposal supported by most of his party to restrict suffrage to white citizens, but favored a property qualification for black men, the $250 freehold ownership until then required of white voters. He would not, he said, draw from them a revenue and yet deny them the right of suffrage. Twenty-five years later, in 1846, nearly three-fourths of the voters of the State refused equal suffrage to the blacks; and even in 1869, six years after the emancipation proclamation, a majority still refused to give them the same rights as white men.

The question of appointments to office was the chief topic in the convention. Van Buren, as chairman of the committee on this subject, made an interesting and able report. It was unanimously agreed that the use of patronage by the council of appointment had been a scandal. Only a few members voted to retain the council, even if it were to be elected by the people. He recommended that military officers, except the highest, be elected by the privates and officers of militia. Of the 6663 civil officers whose appointment and removal by the council had for twenty years kept the State in turmoil, he recommended that 3643, being notaries, commissioners, masters and examiners in chancery, and other lesser officers, should be appointed under general laws to be enacted by the legislature; the clerks of courts and district attorneys should be appointed by the common pleas courts; mayors and clerks of cities should be appointed by their common councils, except in New York, where for years afterwards the mayors were appointed; the heads of the state departments should be appointed by the legislature; and all other officers, including surrogates and justices of the peace as well as the greater judicial officers, should be appointed by the governor upon the confirmation of the Senate. Van Buren declared himself opposed, here again separating himself from many of his party associates, to the popular election of any judicial officers, even the justices of the peace. Of all this he was long after to be reminded as proof of his aristocratic contempt for democracy. His recommendations were adopted in the main; although county clerks and sheriffs, whom he would have kept appointive, were made elective. Upon this question he was in a small minority with Chancellor Kent and Rufus King, having most of his party friends against him. Thus was broken up the enormous political power so long wielded at Albany, and the patronage distributed through the counties. The change, it was supposed, would end a great abuse. It did end the concentration of patronage at the capital; but the partisan abuses of patronage were simply transferred to the various county seats, to exercise a different and wider, though probably a less dangerous, corruption.

The council of revision fell with hardly a friend to speak for it. It was one of those checks upon popular power of which Federalists had been fond. It consisted of the governor with the chancellor and the judges of the Supreme Court, and had a veto power upon bills passed by the legislature. As the chancellor and judges held office during good behavior until they had reached the limit of age, the council was almost a chamber of life peers. The exercise of its power had provoked great animosity. The chief judicial officers of the State, judges, and chancellors, to whom men of our day look back with a real veneration, had been drawn by it into a kind of political warfare, in which few of our higher magistrates, though popularly elected and for terms, would dare to engage. An act had been passed by the legislature in 1814 to promote privateering; but Chancellor Kent as a member of the council objected to it. Van Buren maintained with him an open and heated discussion upon the propriety of the objections, — a discussion in which the judicial character justly enough afforded no protection. Van Buren's feeling against the judges who were his political adversaries was often exhibited. He said in the convention: "I object to the council, as being composed of the judiciary, who are not directly responsible to the people. I object to it because it inevitably connects the judiciary — those who, with pure hearts and sound heads, should preside in the sanctuaries of justice — with the intrigues and collisions of party strife; because it tends to make our judges politicians, and because such has been its practical effect." He further said that he would not join in the rather courtly observation that the council was abolished because of a personal regard for the peace of its members. He would have it expressly remembered that the council had served the ends of faction; though he added that he should regard the loss of Chancellor Kent from his judicial station as a public calamity. In his general position Van Buren was clearly right. Again and again have theorists, supposing judges to be sanctified and illumined by their offices, placed in their hands political power, which had been abused, or it was feared would be abused, by men fancied to occupy less exalted stations. Again and again has the result shown that judges are only men, with human passions, prejudices, and ignorance; men who, if vested with functions not judicial, if freed from the checks of precedents and law and public hearings and appellate review, fall into the same abuses and act on the same motives, political and personal, which belong to other men. In the council of revision before 1821 and the electoral commission of 1877 were signally proved the wisdom of restricting judges to the work of deciding rights between parties judicially brought before them.

Van Buren's far from "non-committal" talk about the judges was not followed by any support of the proposal to "constitutionize" them out of office. The animosity of a majority of the members against the judges then in office was intense; and they were not willing to accept the life of the council of revision as a sufficient sacrifice. Nor was the animosity entirely unreasonable. Butler, in one of his early letters to Jesse Hoyt, described the austerity with which Ambrose Spencer, the chief justice, when the young lawyer sought to address him, told him to wait until his seniors had been heard. In the convention there were doubtless many who had been offended with a certain insolence of place which to this day characterizes the bearing of many judges of real ability; and the opportunity of making repayment was eagerly seized. Nor was it unreasonable that laymen should, from the proceedings of judges when acting upon political matters which laymen understood as well as they, make inferences about the fairness of their proceedings on the bench upon which laymen could not always safely speak. By a vote of 66 to 39, the convention refused to retain the judges then in office, — a proceeding which, with all the faults justly or even naturally found with them, was a gross violation of the fundamental rule which ought to guide civilized lands in changing their laws. For the retention of the judges was perfectly consistent with the judicial scheme adopted. Van Buren put all this most admirably before voting with the minority. He told the convention, and doubtless truly, that from the bench of judges, whose official fate was then at their mercy, he had been assailed "with hostility, political, professional, and personal, — hostility which had been the most keen, active, and unyielding;" but that he would not indulge individual resentment in the prostration of his private and political adversary. The judicial officer, who could not be reached by impeachment or the proceeding for removal by a two-thirds vote, ought not to be disturbed. They should amend the constitution, he told the convention, upon general principles, and not descend to pull down obnoxious officers. He begged it not to ruin its character and credit by proceeding to such extremities. But the removal of the judges did not prove unpopular. Only eight members of the convention voted against the Constitution; only fifteen others did not sign it. And the freeholders of the State, while deliberately surrendering some of their exclusive privileges, adopted it by a vote of 75,422 to 41,497.

Van Buren's service in this convention was that of a firm, sensible, far-seeing man, resolute to make democratic progress, but unwilling, without further light from experience, to take extreme steps difficult to retrace. With a strong inclination towards great enlargement of the suffrage, he pointed out that a mistake in going too far could never be righted "except by the sword." The wisdom of enduring temporary difficulties, rather than to make theoretical changes greater than were necessary to obviate serious and great wrongs, was common to him with the highest and most influential type of modern law-makers. With some men of the first rank, the convention had in it very many others crudely equipped for its work; and it met in an atmosphere of personal and political asperity unfavorable to deliberations over organic law. Van Buren was politically its most powerful member. It is clear that his always conservative temper, aided by his tact and by his temperate and persuasive eloquence, held back his Democratic associates, headed by the impetuous and angered General Root, from changes far more radical than those which were made. Though eminent as a party man, he showed on this conspicuous field undoubted courage and independence and high sense of duty. Entering national politics he was fortunate therefore to be known, not only as a skillful and adroit and even managing politician, as a vigorous and clear debater, as a successful leader in popular movements, but also as a man of firm and upright patriotism, with a ripe and educated sense of the complexity of popular government, and a sober appreciation of the kind of dangers so subtly mingled with the blessings of democracy.

CHAPTER IV

UNITED STATES SENATOR. — REËSTABLISHMENT OF PARTIES. — PARTY LEADERSHIP

In December, 1821, Van Buren took his seat in the United States Senate. The "era of good feeling" was then at its height. It was with perfect sincerity that Monroe in his message of the preceding year had said: "I see much cause to rejoice in the felicity of our situation." He had just been reëlected president with but a single vote against him. The country was in profound peace. The burdens of the war with England were no longer felt; and its few victories were remembered with exuberant good-nature. Two years before, Florida had been acquired by the strong and persisting hand of the younger Adams. Wealth and comfort were in rapid increase. The moans and rage of the defeated and disgraced Federalists were suppressed, or, if now and then feebly heard, were complacently treated as outbursts of senility and impotence. People were not only well-to-do in fact, but, what was far more extraordinary, they believed themselves to be so. In his great tariff speech but three or four years later, Hayne called it the "period of general jubilee." Every great public paper and speech described the "felicity" of America. The president pointed out to his fellow-citizens "the prosperous and happy condition of our country in all the great circumstances which constitute the felicity of a nation;" he told them that they were "a free, virtuous, and enlightened people;" the unanimity of public sentiment in favor of his "humble pretensions" indicated, he thought, "the great strength and stability of our Union." And all was reciprocated by the people. This modest, gentle ruler was in his very mediocrity agreeable to them. He symbolized the comfort and order, the supreme respectability of which they were proud. When in 1817 he made a tour through New England, which had seen neither Jefferson nor Madison as visitors during their terms of office, and in his military coat of domestic manufacture, his light small-clothes and cocked hat, met processions and orators without end, it was obvious that this was not the radical minister whom Washington had recalled from Jacobin Paris for effusively pledging eternal friendship and submitting to fraternal embraces in the National Convention. Such youthful frenzy was now long past. America was enjoying a great national idyl. Even the Federalists, except of course those who had been too violent or who were still unrepentant, were not utterly shut out from the light of the placid high noon. Jackson had urged Monroe in 1816 "to exterminate that monster called party spirit," and to let some Federalists come to the board. Monroe thought, however, "that the administration should rest strongly on the Republican party," though meaning to bring all citizens "into the Republican fold as quietly as possible." Party, he declared, was unnecessary to free government; all should be Republicans. And when Van Buren reached the sprawling, slatternly American capital in 1821, all were Republicans.

There were of course personal feuds in this great political family. Those of New York were the most notorious; but there were many others. But such rivalries and quarrels were only a proof of the political calm. When families are smugly prosperous they indulge petty dislikes, which disappear before storm or tragedy. The halcyon days could not last. Monroe's dream of a country with but one party, and that basking in perpetual "felicity," was, in spite of what seemed for the moment a close realization, as far from the truth as the dreams of later reformers who would in politics organize all the honest, respectable folk together against all the dishonest.

The heat of the Missouri question was ended at the session before Van Buren's senatorial term began. It seemed only a thunder-storm passing across a rich, warm day in harvest time, angry and agitating for the moment; but quickly forgotten by dwellers in the pastoral scene when the rainbow of compromise appeared in the delightful hues of Henry Clay's eloquence. The elements of the tremendous struggle yet to come were in the atmosphere, but they were not visible. The slavery question had no political importance to Van Buren until fourteen years afterwards. In judging the men of that day we shall seriously mistake if we set up our own standards among their ideas. The moral growth in the twenty-five years since the emancipation makes it irksome to be fair to the views of the past generation, or indeed to the former views of half of our present generation. Slavery has come to seem intrinsically wicked, hideous, to be hated everywhere. But sixty-five years ago it still lingered in several of the Northern States. It was wrong indeed; but the temper of condemnation towards it was Platonic, full of the unavailing and unpoignant regret with which men hear of poverty and starvation and disease and crime which they do not see and which they cannot help. Nor did slavery then seem to the best of men so very great a wrong even to the blacks; there were, it was thought, many ameliorations and compensations. Men were glad to believe and did believe that the human chattels were better and happier than they would have been in Africa. The economic waste of slavery, its corrupting and enervating effect upon the whites, were thought to be objections quite as serious. Besides, it was widely fancied to be at worst but a temporary evil. Jefferson's dislike of it was shared by many throughout the South as well as the North. The advantages of a free soil were becoming so apparent in the strides by which the North was passing the South in every material advantage, that the latter, it seemed, must surely learn the lesson. For the institution within States already admitted to the Union, anti-slavery men felt no responsibility. Forty years later the great leader of the modern Republican party would not, he solemnly declared in the very midst of a pro-slavery rebellion, interfere with slavery in the States if the Union could be saved without disturbing it. If men in South Carolina cared to maintain a ruinous and corrupting domestic institution, even if it were a greater wrong against the slaves than it was believed to be, or even if it were an injury to the whites themselves, still men of Massachusetts and New York ought, it seemed to them, to be no more disturbed over it than we feel bound to be over polygamy in Turkey.

But as to the territory west of the Mississippi not yet formed into States, there was a different sentiment held by a great majority at the North and by many at the South. Slavery was not established there. The land was national domain, whose forms of political and social life were yet to be set up. Why not, before the embarrassments of slave settlement arose, devote this new land to freedom, — not so much to freedom as that shining goddess of mercy and right and justice who rose clear and obvious to our purged vision out of the civil war, as to the less noble deities of economic well-being, thrift, and industrial comfort? Democrats at the North, therefore, were almost unanimous that Missouri should come in free or not at all; and so with the rest of the territory beyond the Mississippi, except the old slave settlement of Louisiana, already admitted as a State. The resolution in the legislature of New York in January, 1820, supported by Van Buren, that freedom be "an indispensable condition of admission" of new States, was but one of many exhibitions of feeling at the North. Monroe and the very best of Americans did not, however, think the principle so sacred or necessary as to justify a struggle. John Quincy Adams, hating slavery as did but few Americans, distinctly favored the compromise by which Missouri came in with slavery, and by which the other new territory north of the present southern line of Missouri extended westward was to be free, and the territory south of it slave. With no shame he acquiesced in the very thing about which forty years later the nation plunged into war. "For the present," he wrote, "this contest is laid asleep." So the stream of peaceful sunshine and prosperity returned over the land.

Van Buren's views at this time were doubtless clear against the extension of slavery. He disliked the institution; and in part saw how inconsistent were its odious practices with the best civic growth, how debasing to whites and blacks alike. In March, 1822, he voted in the Senate, with Harrison Gray Otis of Massachusetts and Rufus King, foi a proviso in the bill creating the new Territory of Florida by which the introduction of slaves was forbidden except by citizens removing there for actual settlement, and by which slaves introduced in violation of the law were to be freed. But he was in a minority. Northern senators from Rhode Island, New Jersey, and Indiana refused to interfere with free trade in slaves between the Southern States and this southernmost territory.

Among the forty-eight members of the Senate which met in December, 1821, neither Clay nor Calhoun nor Webster had a seat. The first was restless in one of his brief absences from official life; the second was secretary of war; and Webster, out of Congress, was making great law arguments and greater orations. Benton was there from the new State of Missouri, just beginning his thirty years. The warm friendship and political alliance between him and Van Buren must have soon begun. During all or nearly all Van Buren's senatorship the two occupied adjoining seats. Two years later Andrew Jackson was sent to the Senate by Tennessee, as a suitable preliminary to his presidential canvass. During the next two sessions Van Buren, Benton, and Jackson were thrown together; and without doubt the foundations were laid of their lifelong intimacy and political affection. Benton and Jackson, personal enemies years before, had become reconciled. Among these associates Van Buren adhered firmly enough to his own clear views; he did not turn obsequiously to the rising sun of Tennessee. William H. Crawford, the secretary of the treasury, had, in the Republican congressional caucus of 1816, stood next Monroe for the presidential nomination. For reasons which neither history nor tradition seems sufficiently to have brought us, he inspired a strong and even enthusiastic loyalty among many of his party. His candidacy in 1824 was more "regular" than that of either Adams, Jackson, or Clay, whose friends combined against him as the strongest of them all. Though Crawford had been prostrated by serious disease in 1823, Van Buren remained faithful to him until, in 1825, after refusing a seat in Adams's cabinet, he retired from national public life a thoroughly broken man.

The first two sessions of Congress, after Van Buren's service began, seemed drowsy enough. French land-titles in Louisiana, the settlement of the accounts of public officers, the attempt to abolish imprisonment for debt, the appropriation for money for diplomatic representatives to the new South American states and their recognition,—nothing more exciting than these arose, except Monroe's veto, in May, 1822, of the bill authorizing the erection of toll-gates upon the Cumberland road and appropriating $9000 for them. This brought distinctly before the public the great question of internal improvements by the federal government, which Van Buren, Benton, and Jackson afterwards chose as one of the chief battle-grounds for their party. For this bill Van Buren indeed voted, while Benton afterwards boasted that he was one of the small minority of seven who discerned its true character. But this trifling appropriation was declared by Barbour, who was in charge of the measure, not to involve the general question; it was said to be a mere incident necessary to save from destruction a work for which earlier statesmen were responsible. Monroe, though declaring in his veto that the power to adopt and execute a system of internal improvements national in their character would have the happiest effect on all the great interests of the Union, decided that the Constitution gave no such power. Six years later, in a note to his speech upon the power of the Vice-President to call to order for words spoken in debate in the Senate, Van Buren apologized for his vote on the bill, because it was his first session, and because he was sincerely desirous to aid the Western country and had voted without full examination. He added that if the question were again presented to him, he should vote in the negative; and that it had been his only vote in seven years of service which the most fastidious critic could torture into an inconsistency with his principles upon internal improvements. In January, 1823, during his second session, Van Buren spoke and voted in favor of the bill to repair the road, but still took no decided ground upon the general question. He said that the large expenditure already made on the road would have been worse than useless if it were now suffered to decay; that the road, being already constructed, ought to be preserved; but whether he would vote for a new construction he did not disclose. Even Benton, who was proud to have been one of the small minority against the bill of the year before for toll-gates upon the road, was now with Van Buren, constitutional scruples yielding to the statesman-like reluctance to waste an investment of millions of dollars rather than spend a few thousands to save it.

In January, 1824, Van Buren proposed to solve these difficulties by a constitutional amendment. Congress was to have power to make roads and canals, but the money appropriated was to be apportioned among the States according to population. No road or canal was to be made within any State without the consent of its legislature; and the money was to be expended in each State under the direction of its legislature. This proposal seems to have fallen still-born and deservedly. It illustrated Van Buren's jealousy of interference with the rights of States. But the right of each State to be protected, he seemed to forget, involved its right not to be taxed for improvements in other States which it neither controlled nor promoted. Van Buren's speech in support of the proposal would to-day seem very heretical to his party. A dozen years later he himself would probably have admitted it to be so. He then believed in the abstract proposition that such funds of the nation as could be raised without oppression, and as were not necessary to the discharge of indispensable demands upon the government, should be expended upon internal improvements under restrictions guarding the sovereignty and equal interests of the

States. Henry Clay would not in theory have gone much further. But to this subject in its national aspect Van Buren had probably given but slight attention. The success of the Erie Canal, with him doubtless as with others, made adverse theories of government seem less impressive. But Van Buren and his school quickly became doubtful and soon hostile to the federal promotion of internal improvements. The opposition became popular on the broader reasoning that great expenditures for internal improvements within the States were not only, as the statesmen at first argued, violations of the letter of the Constitution, whose sanctity could, however, be saved by proper amendment, but were intrinsically dangerous, and an unwholesome extension of the federal power which ought not to take place whether within the Constitution or by amending it. Aided by Jackson's powerful vetoes, this sentiment gained a strength with the people which has come down to our day. We have river and harbor bills, but they are supposed to touch directly or indirectly our foreign commerce, which, under the Constitution and upon the essential theory of our confederation, is a subject proper to the care of the Union.

In the same session Van Buren spoke at length in favor of the bill to abolish imprisonment for debt, and drew with precision the distinction wisely established by modern jurisprudence, that the property only, and not the body of the debtor, should be at the mercy of his creditor, where the debt involved no fraud or breach of trust.

The session of 1823–1824 was seriously influenced by the coming presidential election. The protective tariff of 1824 was christened with the absurd name of the "American system," though it was American in no other or better sense than foreign war to protect fancied national rights is an American system, and though the system had come from the middle ages in the company of other restrictions upon the intercourse of nations. It was carried by the factitious help of this designation and the fine leadership of Clay. With Jackson and Benton, Van Buren voted for it, against men differing as widely from each other as his associate, the venerable Federalist Rufus King, differed from Hayne, the brilliant orator of South Carolina. Upon the tariff Van Buren then had views clearer, at least, than upon internal improvements. In 1824 he was unmistakably a protectionist. The moderation of his views and the pressure from his own State were afterwards set up as defenses for this early attitude of his. But he declared himself with sufficient plainness not only to believe in the constitutionality of a protective tariff, but that 1824 was a fit year in which to extend its protective features. He acted, too, with the amplest light upon the subject. The dislike of the Holy Alliance, the hated recollections of the Orders in Council and the Napoleonic decrees, the idea that, for self-defense in times of war, the country must be forced to produce many goods not already produced, — these considerations had great weight, as very well appears in the speech for the bill delivered by Richard M. Johnson of Kentucky, afterwards Van Buren's associate on the presidential ticket. "When the monarchs of Europe are assembled together, do you think," he asked, "that we are not a subject of their holy consultations?" But the support of the bill was upon broader considerations. The debates upon the tariff in the House of Representatives in February, March, and April, and in the Senate in April, 1824, were admirable presentations of the subject. Webster in the House and Hayne in the Senate put the free trade side. The former, still speaking his own sentiments, declared that "the best apology for laws of prohibition and laws of monopoly will be found in that state of society, not only unenlightened but sluggish, in which they are most generally established." But now, he said, "competition comes in place of monopoly, and intelligence and industry ask only for fair play and an open field." He repudiated the principle of protection. "On the contrary," said he, "I think freedom of trade to be the general principle, and restriction the exception."

Nor was Van Buren then left without the light which afterwards reached him on the constitutional question. Rufus King said that, if gentlemen wished to encourage the production of hemp and iron, they ought to bring in a bill to give bounties on those articles; for there was the same constitutional right to grant bounties as to levy restrictive duties upon foreign products. Hayne made the really eloquent and masterly speech for which he ought to stand in the first rank of orators, and which summed up as well for free-traders now as then the most telling arguments against artificial restrictions. He skillfully closed with Washington's words: "Our commercial policy should hold an equal and impartial hand, neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing." Hayne did not confine himself to the doctrines of Adam Smith, or the hardships which protection meant to a planting region like his own. For the chief interest of the South was in cotton; and the price of cotton was largely determined by the ability of foreigners to import it from America, — an ability in its turn dependent upon the willingness of America to take her pay, directly or indirectly, in foreign commodities. Hayne, however, went further. He clearly raised the question, whether the encouragement of manufactures could constitutionally be made a Federal object.

Sitting day after day under this long debate in the little senate chamber then in use, where men listened to speeches, if for no other reason, because they were easily heard, Van Buren could not, with his ability and readiness, have misunderstood the general principles involved. Early in the debate, upon a motion to strike out the duty on hemp, he briefly but explicitly said that "he was in favor of increasing the duty on hemp, with a view of affording protection to its cultivation in this country." He voted against limiting the duty on wool to twenty-five per cent., but voted against a duty of twenty-five per cent. on India silks, — a revenue rather than a protective duty. He voted for duties on wheat and wheat flour and potatoes. He voted against striking out the duty on books, in spite of Hayne's grotesque but forcible argument that they were to be considered "a raw material, essential to the formation of the mind, the morals, and the character of the people." It is difficult to understand the significance of all Van Buren's votes on the items of the bill; but the record shows them to have been, on the whole, protectionist, with a preference for moderate rates, but a firm assertion of the wool interests of New York. Benton tells us that Van Buren was one of the main speakers for the bill; but the assertion is not borne out by the record. He delivered no general speech upon the subject, as did most of the senators, but seems to have spoken only upon some of the details as they were considered in committee of the whole. The best to be said in Van Buren's behalf is, that his judgment was not yet so ripe upon the matter as not to be still open to great change. He was in his third session, and still new to national politics, and there was before him the plain and strong argument that his State wanted protection. In 1835 Butler, speaking for him as a presidential candidate, said that his personal feelings had been "at all times adverse to the high tariff policy." But "high tariff" was then, as now, a merely relative term. His votes placed him in that year very near Henry Clay. That from 1824 he grew more and more averse to the necessary details and results of a protective policy is probably true. Nor ought it to be, even from the standpoint of free-traders, serious accusation that a public man varies his political utterances upon the tariff question, if the variation be progressive and steadily towards what they deem a greater liberality. To Van Buren, however, the tariff question never had a capital importance. Even thirty-two years later, while rehearsing from his retirement the achievements of his party in excuse of the support he reluctantly gave Buchanan, he did not name among its services its insistence upon merely revenue duties, although he had then for years been himself committed to that doctrine.

Van Buren's vote for the tariff of 1824 had no very direct relation to his political situation. His own successor was not to be chosen for nearly three years. Crawford, whom he supported for the presidency, was the only one of the four candidates opposed to the bill. Adams was consistently a protectionist; he believed in actively promoting the welfare of men, though chiefly if not exclusively American men, even when they resisted their own welfare. He, like his father, was perfectly ready to use the power of government where it seemingly promised to be effective, without caring much for economical theories or constitutional restrictions. Jackson himself was far enough away from the ranks of strict constructionists on the tariff. In April, 1824, in the midst of the debate, and while a presidential candidate, he wrote from the Senate what free-traders, who afterwards supported him, would have deemed the worst of heresies. Like most candidates, ancient and modern, he was "in favor of a judicious examination and revision of" the tariff. He would advocate a tariff so far as it enabled the country to provide itself with the means of defense in war. But he would go further. The tariff ought to "draw from agriculture the superabundant labor, and employ it in mechanism and manufactures;" it ought to "give a proper distribution to our labor, to take from agriculture in the United States 600,000 men, women, and children." It is time, he cried, and quite as extravagantly as Clay, that "we should become a little more Americanized." How slight a connection the tariff had with the election of 1824 is further seen in the fact that Jackson, who thus supported the bill, received the vote of several of the States which strongly opposed the tariff.

In March, 1824, Van Buren urged the Senate to act upon a constitutional amendment touching the election of president. As the amendment could not be adopted in time to affect the pending canvass, there was, he said, no room for partisan feeling. He insisted that if there were no majority choice by the electors, the choice should not rest with the house of representatives voting by States, but that the electors should be reconvened, and themselves choose between the highest two candidates. The debate soon became thoroughly partisan. Rufus King, with but thinly veiled reference to Crawford's nomination, denounced the practice by which a caucus at Washington deprived the constitutional electors of any free choice; members of Congress were attending to president-making rather than to their duties. He thought that the course of events had "led near observers to suspect a connection existing between a central power of this description at the seat of the general government and the legislatures of Georgia, North Carolina, Virginia, and New York, and perhaps of other States." To this it was pointed out with much force that such a caucus had chosen Jefferson, Madison, and Monroe without scandal or injury; that members of Congress were distinguished and representative persons familiar with national affairs, who might with great advantage respectfully suggest a course of action to their fellow-citizens. Van Buren went keenly to the real point of the belated objection to the system; it lay in the particular action of the recent caucus. He did not think it worth while to consider "those nice distinctions which challenged respect for the proceedings of conventions of one description and denied it to others; or to detect those still more subtle refinements which regarded meetings of the same character as sometimes proper, and at others destructive of the purity of elections and dangerous to the liberties of the people." After much talk about the will of the people, the Senate by a vote of 30 to 13 postponed the consideration of the amendments until after the election. Benton joined Van Buren in the minority, although they did not agree upon the form of amendment; but Jackson, perhaps because he was a candidate, did not vote.

It was highly probable that there would be embarrassment in choosing the next president. It was already nearly certain that neither candidate would have a majority of the electoral votes. The decision was then, as in our own time, supposed to rest with New York; and naturally therefore Van Buren's prestige was great, gained, as it had been, in that difficult and opulent political field. His attachment to Crawford was proof against the signs of the latter's decaying strength. Crawford was to him the Republican candidate regularly chosen, and one agreeable to his party by the vigorous democracy of his sentiments. His opposition to Jefferson's embargo, and his vote for a renewal of the charter of the Bank of the United States, had been forgotten since his warm advocacy of the late war with England. His formal claims to the nomination were great. For he had been in the Senate as early as 1807, and its president upon the death of Vice-President Clinton in 1812; afterwards he had been minister to France, and was now secretary of the treasury. In the caucus of 1816 he had nearly as many votes as Monroe; and those votes were cast for him, it was said, though without much probability, in spite of his peremptory refusal to compete with Monroe. Moreover, Crawford had a majesty and grace of personal appearance which, with undoubtedly good though not great abilities, had, apart from these details of his career, made him conspicuous in the Republican ranks; and in its chief service he was, after the retirement of Monroe, the senior, except Adams, whose candidacy was far more recent. Crawford's claim to the succession was therefore very justifiable; he was the most obvious, the most "regular," of the candidates.

It has been said that Van Buren was at first inclined to Adams. The latter's unequaled public experience and discipline of intellect doubtless seemed, to Van Buren's precise and orderly mind, eminent qualifications for the first office in the land. Adams at this time, by a coincidence not inexplicable, thought highly of Van Buren. He entered in his diary a remark of his own, in February, 1825, that Van Buren was "a man of great talents and of good principles; but he had suffered them to be too much warped by party spirit." This from an Adams may be taken as extreme praise. It is pretty certain that if Van Buren had reprehensibly shifted his position from Adams to Crawford, we should find a record of it in the vast treasure-house of damnations which Adams left.

Nor is there good reason to suppose that Van Buren was influenced by the nomination which Crawford's friends in Georgia gave him in 1824 for the vice-presidency. This showed that New York had already surrendered her favorite "son to the nation;" he was now definitely to be counted a power in national politics, where he was known as the "Albany director." Crawford's enemies in Georgia, the Clarkites, ridiculed this nomination with the coarse and silly abuse which active politicians to this day are always ready to use in their cynical under-estimate of popular intelligence, — abuse which they are by and by pretty sure to be glad to forget. Van Buren was pictured as half man and half cat, half fox and half monkey, half snake and half mink. He was dubbed "Blue Whiskey Van" and "Little Van." The Clarkites, being only a minority in the Georgia Assembly, delighted to vote for him as their standing candidate for doorkeeper and the like humbler positions.

New York was greatly disturbed through 1824 over the presidency. Its politics were in the position described by Senator Cobb, one of Crawford's Georgia supporters. "Could we hit upon a few great principles," he wrote home from Washington in January, 1825, "and unite their support with that of Crawford, we should succeed beyond doubt." But the great principles were hard to find. The people and the greater politicians were therefore swayed by personal preferences, without strong reason for either choice; and the lesser politicians were simply watching to see how the tide ran. Adams was the most natural choice of the New York Republicans. The South had had the presidency for six terms. His early secession from the Federalists; his aid in solidifying the Republican sentiment at the North; his support of Jefferson in the patriotic embargo struggle; his long, eminent, and fruitful services; and his place of secretary of state, from which Madison and Monroe had in turn been promoted to the presidency,— all these commended him to Northern Republicans as a proper candidate.

De Witt Clinton admired and supported General Jackson. In 1819 the latter had at a dinner in Tammany Hall amazed and affronted the former's Bucktail enemies by giving as his toast, "De Witt Clinton, the enlightened statesman and governor of the great and patriotic State of New York." In January, 1824, Clinton was the victim of a political outrage which illustrated the harsh partisanship then ruling in New York politics, and may well have determined the choice of president. Clinton had retired from the governor's chair; but he still held the honorary and unpaid office of canal commissioner, to which he brought distinguished honor but which brought none to him, and whose importance he more than any other man had created. The Crawford men in the legislature feared a combination of the men of the new People's party with the Clintonians on the presidential question. Clinton seemed at the time an unpopular character.

To embarrass the People's party, Clinton's enemies suddenly, and just before the rising of the legislature, offered a resolution removing him from the canal commissionership. The People's party, it was thought, by opposing the resolution, would incur popular dislike through their alliance with the few and unpopular Clintonians; while by supporting the resolution they would forfeit the support of the latter upon which they relied. In either case the Crawford men would apparently profit by the trick. The People's party men, including those favoring Adams for president, at once seized the wrong horn of the dilemma, and voted for Clinton's removal, which was thus carried by an almost unanimous vote. But the people themselves were underrated; the outrage promptly restored Clinton to popular favor. In spite of the resistance of the politicians, he was, in the fall of 1824, elected by a large majority to the governor's seat, to which, or to any great office, it had been supposed he could never return; and this, although at the same time and upon the same ticket one of those who had voted for his removal was chosen lieutenant-governor. Van Buren was no party to this removal, although his political friends at Albany were the first movers in the scheme. He himself was far-sighted enough to see the probable effect of so gross and indecent a use of political power. Nor was he so relentless a partisan as to remember in unfruitful vengeance Clinton's own proscriptive conduct, or to remove the latter from an honorary seat which belonged to him above all other men. By this silly blunder Clinton was again raised to deserved power, which he held until his death.

The popular outburst consequent upon Clinton's removal in January, 1824, made it very dangerous for the Bucktails to leave to the people in the fall the choice of presidential electors. The rise of the People's party for a time seriously threatened Van Buren's influence. Until 1824 the presidential electors of New York had been chosen by its legislature. The opponents of Crawford and Van Buren, fearing that the latter's superior political skill would more easily capture the legislature in November, 1824, raised at the legislative elections of 1823 a cry against the Albany Regency, and demanded that presidential electors should be chosen directly by the people. The Regency, popularly believed to have been founded by Van Buren, consisted of a few able followers of his, residing or in office at Albany. They were also called the "conspirators." Chief among them were William L. Marcy, the comptroller; Samuel A. Talcott, the attorney-general; Benjamin F. Butler, then district attorney of Albany county; Edwin Croswell, the state printer; Roger Skinner, the United States district judge; and Benjamin Knower, the state treasurer. Later there joined the Regency, Silas Wright, Azariah C. Flagg, Thomas W. Olcott, and Charles E. Dudley. Its members were active, skillful, shrewd politicians; and they were much more. They were men of strong political convictions, holding and observing a high standard for the public service, and of undoubted personal integrity. In 1830 John A. Dix gave as a chief reason for accepting office at Albany that he should there be "one of the Regency." His son, Dr. Morgan Dix, describes their aggressive honesty, their refusal "to tolerate in those whom they could control what their own fine sense of honor did not approve;" and he quotes a remark made to him by Thurlow Weed, their long and most formidable enemy, "that he had never known a body of men who possessed so much power and used it so well." In his Memoirs, Weed describes their "great ability, great industry, indomitable courage." Two at least of the original members, Marcy and Butler, afterwards justly rose to national distinction. Even to our own day, the Albany Regency has been a strong and generally a sagacious influence in its party. John A. Dix, Horatio Seymour, Dean Richmond, and Samuel J. Tilden long directed its policy; and from the chief seat in its councils the late secretary of the treasury, Daniel Manning, was chosen in 1885.

In November, 1823, the People's party elected only a minority of the legislature; but many of the Democrats were committed to the support of an electoral law, and the movement was clearly popular. A just, though possibly an insufficient objection to the law was its proposal of a great change in anticipation of a particular election whose candidates were already before the public. But there was no resort to frank argument. Its indirect defeat was proposed by the Democratic managers, and accomplished with the coöperation of many supporters of Adams and Clay. A bill was reported in the Assembly, where the Regency was in a minority, giving the choice of the electors to the people directly, but cunningly requiring a majority instead of a plurality vote to elect. If there were no majority, then the choice was to be left to the legislature. The Adams and Clay men were unwilling to let a plurality elect, lest in the uncertain state of public feeling some other candidate might be at the head of the poll; and they were probably now quite as confident as the Bucktails, and with more reason, of their strength upon joint ballot in the legislature. Divided as the people of New York were between the four presidential candidates, it was well known that this device would really give them no choice. The consideration of the electoral law was postponed in the Senate upon a pretense of objection to the form of the bill, and with insincere protestations of a desire to pass it. The outcome of all this was that in the election of November, 1824, the Democrats were punished at the polls both for the wanton attack on Clinton and for their unprincipled treatment of the electoral bill. The Regency got no more than a small minority in the legislature; and De Witt Clinton, as has been said, was chosen governor by a great majority.

Crawford's supporters at Washington believed that in a congressional caucus he would have a larger vote than any other candidate. His opponents, in the same belief, refused to join in a caucus, in spite of the cry that their refusal was a treason to old party usage. The Republicans at Albany, probably upon Van Buren's advice, had in April, 1823, declared in favor of a caucus, but without effect. Two thirds of Congress would not assent. At last, in February, 1824, a caucus was called, doubtless in the hope that many who had refused their assent would, finding the caucus inevitable, attend through force of party habit. But of the 261 members of Congress, only 66 attended; and they were chiefly from New York, Virginia, North Carolina and Georgia. In the caucus 62 voted for Crawford for president and 57 for Albert Gallatin for vice-president. A cry was soon raised against the latter as a foreigner; so that in spite of his American residence of forty-five years, and his invaluable services to the country and to the Republican party through nearly all this period, he felt compelled to withdraw.

The failure of the caucus almost destroyed Crawford's chances, though Van Buren steadily kept up courage. A few days later he wrote a confidential letter complaining of the subserviency and ingratitude of the non-attendants, who had "partaken largely of the favor of the party;" but despondency, he said, was a weakness with which he was but little annoyed, and if New York should be firm and promptly explicit, the election would be substantially settled. But New York was neither firm nor promptly explicit. Its electoral vote was in doubt until the meeting of the legislature in November. The Adams and Clay forces then united, securing 31 out of the 36 electors, although one of the 31 seems finally to have voted for Jackson. Five Crawford electors were chosen with the help of the Adams men, who wished to keep Clay at the foot of the poll of presidential electors, and thus prevent his eligibility as one of the highest three in the House of Representatives. This device of the Adams men may have deprived Clay of the presidency. Thus Van Buren's New York campaign met defeat even in the legislature, where his friends had incurred odium rather than surrender the choice of electors to the people, while his forces were being thoroughly beaten by the people at the polls. In the electoral college Crawford received only 41 votes; Adams had 84 and Jackson 99; while Clay with only 37 was fourth in the race, and could not therefore enter the contest in the House. Georgia cast 9 electoral votes for Van Buren as vice-president.

Van Buren did not figure in the choice of Adams in the House by the coalition of Adams and Clay forces. Nor does his name appear in the traditions of the manœuvering at Washington in the winter of 1824–25, except in a vague and improbable story that he wished, by dividing the New York delegation in the House on the first vote by States, to prevent a choice, and then to throw the votes of the Crawford members for Adams, and thus secure the glory and political profit of apparently electing him. He did not join in the cry that Adams's election over Jackson was a violation of the democratic principle. Nor was it a violation of that principle. Jackson had but a minority of the popular vote. Clay was in political principles and habits nearer to Adams than Jackson. It was clearly Clay's duty to take his strength to the candidate whose administration was most likely to be agreeable to those opinions of his own which had made him a candidate. The coalition was perfectly natural and legitimate; and it was wholesome in its consequences. It established the Whig party; it at least helped to establish the modern Democratic party. That the acceptance of office by Clay would injure him was probable enough. Coalitions have always been unpopular in America and England, when there has seemed to follow a division of offices. They offend the strong belief in party government which lies deep in the political conscience of the two countries.

In the congressional session of 1824–25 president-making in the House stood in the way of everything else of importance. Van Buren, with increasing experience, was taking a greater and greater part in congressional work. He joined far more frequently in the debates. Again he spoke for the abolition of imprisonment for debt, his colleague, Rufus King, differing from him on this as he now seemed to differ from him on most disputed questions. King had not been reëlected senator, having declined to be a candidate, because, as he said, of his advancing years. But doubtless Van Buren was correct in telling John Quincy Adams, and the latter was correct in believing, as his diary records, that King could not have been re-chosen.

At this session Van Buren took definite stand against the schemes of internal improvement. On February 11, 1825, differing even from Benton, he voted against topographical surveys in anticipation of public works by the Federal government. On February 23 he voted against an appropriation of $150,000 to extend the Cumberland road, while Jackson and Benton both voted for it. So, also, the next day, when Jackson voted for federal subscriptions to help construct the Delaware and Chesapeake Canal and the Dismal Swamp Canal, Van Buren was against him. Two days before the session closed he voted against the bill for the occupation of Oregon, Benton and Jackson voting in the affirmative. Van Buren was one of the senatorial committee to receive the new president upon his inauguration. It was doubtless with the easy courtesy which was genuine with him that he welcomed John Quincy Adams to the political battle so disastrous to the latter.

When Congress met again, in December, 1825, Van Buren took a more important place than ever before in national politics. He now became a true parliamentary leader; for he, like Clay, had the really parliamentary career which has rarely been seen in this country. Dealing with amorphous political elements, Van Buren created out of them a party to promote his policy, and seized upon the vigor and popular strength of Jackson to lead both party and policy to supreme power. While, before 1825, Van Buren had not represented in the Senate a party distinctly constituted, from 1825 to 1828 he definitely led the formation of the modern Democratic party. In this work he was clearly chief. From the floor of the Senate he addressed those of its members inclined to his creed, and the sympathetic elements throughout the country, and firmly guided and disciplined them after that fashion which in very modern days is best familiar to us in the parliamentary conflicts of Great Britain. Since Van Buren wielded this organizing power, there has been in America no equally authoritative and decisive leadership from the Senate; although he has since been surpassed there, not only as an orator, but in other kinds of senatorial work. Seward seemed to exercise a like leadership in the six years or more preceding Lincoln's election: but he was far more the creature of the stupendous movement of the time than he was its creator. So, in the two years before General Grant's renomination in 1872, Charles Sumner and Carl Schurz, speaking from the Senate, created a new party sentiment; but the sentiment died in a "midsummer madness" but for which our later political history might have been materially different. In the interesting and fruitful three years of Van Buren's senatorial opposition, he showed the same qualities of firmness, supple tact, and distinct political aims which had given him his power in New York; but all now upon a higher plane.

In December, 1825, Jackson was no longer in the Senate. His Tennessee friends had placed him there as in a fitting vestibule to the White House; but it seemed as hard then as it has been since, to go from the Senate over the apparently broad and easy mile to the west on Pennsylvania Avenue. So Jackson returned to the Hermitage, to await, in the favorite American character of Cincinnatus, the popular summons which he believed to be only delayed. Van Buren, now thoroughly acquainted with the general, saw in him the strongest titular leader of the opposition. It is pretty certain, however, that Van Buren's preference was recent. The "Albany Argus," a Van Buren paper, had but lately declared that "Jackson has not a single feeling in common with the Republican party, and makes the merit of desiring the total extinction of it;" while Jackson papers had ridiculed Crawford's

> "Shallow knaves with forms to mock us,
> Straggling, one by one, to caucus."

It has been the tradition, carefully and doubtless sincerely begun by John Quincy Adams, and adopted by most writers dealing with this period, that Adams met his first Congress in a spirit which should have commanded universal support; and that it was a factious opposition, cunningly led by

Van Buren, which thwarted his patriotic purposes. But this is an untrue account of the second great party division in the United States. The younger Adams succeeded to an administration which had represented no party, or rather which had represented a party now become so dominant as to practically include the whole country. As president he found himself able to promote opinions with a weighty authority which he had not enjoyed while secretary of state in an era of good feeling, and under a president who was firm, even if gentle. Nor was it likely that Adams, with his unrivaled experience, his resolute self-reliance, and his aggressively patriotic feeling, would fail to impress his own views upon the public service, lest he might disturb a supposititious unanimity of sentiment. His first message boldly sounded the notes of party division. The second war with England was well out of the public mind; and his old Federalist associations, his belief in a strong, active, beneficent federal government, his traditional dislike of what seemed to him extreme democratic tendencies and constitutional refinings away of necessary federal power, — all these made him promptly and ably take an attitude very different from that of his predecessors. The compliment was perfectly sincere which, in his inaugural address, he had paid the Republican and Federalist parties, saying of them that both had "contributed splendid talents, spotless integrity, ardent patriotism, and disinterested sacrifices to the formation and administration" of the government. But it was idle for him to suppose that the successors of these parties, although from both had come his own supporters, and although, as in his offer of the treasury to Crawford, he showed his desire, even in the chief offices, to ignore political differences, would remain united under him, if he espoused causes upon which they widely differed. After recapitulating the tenets of American political faith, and showing that most discordant elements of public opinion were now blended into harmony, he was again perfectly sincere in saying that only an effort of magnanimity needed to be made, that individuals should discard every remnant of rancor against each other. This advice he was himself unable to follow; and so were other men. In his inaugural he distinctly adopted as his own the policy of internal improvements by the federal government, although he knew how wide and determined had been the opposition to it. His own late chief, Monroe, had pronounced the policy unconstitutional. But he now told the people that the magnificence and splendor of the public works, the roads and aqueducts, of Rome, were among the imperishable splendors of the ancient republic. He asked to what single individual our first national road had proved an injury. Of the constitutional doubts which were raised, he said. with a touch of the contempt of a practical administrator: "Every speculative scruple will be solved by a practical blessing." To the self-consecrated guardians of the Constitution this was as corrupt as offers of largesses to plebeians at Rome. In his first message he recommended again the policy of internal improvements, and proposed the establishment of a national university. Although he admitted the Constitution to be "a charter of limited powers," he still intimated his opinion that its powers might "be effectually brought into action by laws promoting the improvement of agriculture, commerce, and manufactures, the cultivation and encouragement of the mechanic and of the elegant arts, the advancement of literature, and the progress of the sciences, ornamental and profound;" and that to refrain from exercising these powers for the benefit of the people themselves, would be to hide the talent in the earth, and a "treachery to the most sacred of trusts." Further, he now broached the novel project of the congress at Panama, — a project surely doubtful enough to permit conscientious opposition.

All this was widely different from the messages of content from President Monroe. There was in these new utterances a clear political diversion, marked not less by the brilliant and restless genius of Henry Clay, now the secretary of state, than by the President's consciousness of his own strong and disciplined ability. Here was a new policy formally presented by a new administration; and a formal and organized resistance was as sure to follow as effect to follow cause. Van Buren was soon at the head of this inevitable opposition. It is difficult, at least in the records of Congress, to find any evidence justifying the long tradition that the opposition was factious or unworthy. It was doubtless a warfare, with its surprises, its skirmishes, and its pitched battles. Mistakes of the adversary were promptly used. Debates were not had simply to promote the formal business before the House, but rather to reach the listening voters. But all this belongs to parliamentary warfare. Nor is it inconsistent with most exalted aims and an admirable performance of public business in a free country. Gladstone, the greatest living master in the work of political reform, has described himself as an "old parliamentary hand." Nor in the motions, the resolutions, the debates, led by Van Buren during his three years of opposition, can one find any device which Palmerston or Derby or Gladstone in one forum, and Seward and even Adams himself in his last and best years in another, have not used with little punishment from disinterested and enduring criticism.

Immediately after Adams's inauguration Van Buren voted for Clay's confirmation as secretary of state, while Jackson and fourteen other senators, including Hayne, voted to reject him, upon the unfounded story of Clay's sale of the presidency to Adams for the office to which he was now nominated. Van Buren's language and demeanor towards the new administration were uniformly becoming. He charged political but not personal wrong-doing; he made no insinuation of base motives; and his opposition throughout was the more forcible for its very decorum.

The first great battle between the rapidly dividing forces was over the Panama mission, a creation of Clay's exuberant imagination. The president nominated to the Senate two envoys to an American congress called by the new South American republics of Columbia, Mexico, and Central America, and in which it was proposed that Peru and Chile also should participate. The congress was to be held at Panama, which, in the extravagant rhetoric of some of the Republicans of the South, would, if the world had to elect a capital, be pointed out for that august destiny, placed as it was "in the centre of the globe." Spain had not yet acknowledged the independence of her revolted colonies; and it was clear that the discussions of the congress must be largely concerned with a mutual protection of American nations which implied an attitude hostile to Spain. Adams, in his message nominating the envoys, declared that they were not to take part in deliberations of belligerent character, or to contract alliances or to engage in any project importing hostility to any other nation. But referring to the Monroe doctrine, Adams said that the mission looked to an agreement between the nations represented, that each would guard by its own means against the establishment of any future European colony within its borders; and it looked also to an effort on the part of the United States to promote religious liberty among those intolerant republics. The decisive inducement, he added, to join in the congress was to lay the foundation of future intercourse with those states "in the broadest principles of reciprocity and the most cordial feelings of fraternal friendship."

This was vague enough. But when the diplomatic papers were exhibited, it was plain that the southern republics proposed a congress looking to a close defensive alliance, a sort of confederacy or Amphictyonic council as Benton described it; and that it was highly improbable that the representatives from one country could responsibly participate in the congress without most serious danger of incurring obligations, or falling into precisely the embarrassments which the well settled policy of the United States had avoided. It was perfectly agreeable to Adams, resolute and aggressive American that he was, that his country should look indulgently upon the smaller American powers, should stand at their head, should counsel them in their difficulties with European nations, and jealously take their side in those difficulties. Clay's eager, enthusiastic mind delighted in the picture of a great leadership of America by the United States, an American system of nations, breathing the air of republicanism, asserting a young and haughty independence of monarchical Europe, and ready for opposition to its schemes. In all this there has been fascination to many American minds, which even in our own day we have seen influence American diplomacy. But it was a step into the entangling alliances against which American public opinion had from Washington's day been set.

When Adams asked an appropriation for the expenses of the mission, he told the House of Representatives that he was hardly sanguine enough to promise "all or even any of the transcendent benefits to the human race which warmed the conceptions of its first proposer," but that it looked "to the melioration of the condition of man;" that it was congenial with the spirit which prompted our own declaration of independence, which dictated our first treaty with Prussia, and "which filled the hearts and fired the souls of the immortal founders of our revolution."

Such fanciful speculation the Republicans, led by Van Buren, opposed with strong and heated protests, in tone not unlike the Liberal protests of 1878 in England against Disraeli's Jingo policy. In the secret session of the Senate Van Buren proposed resolutions against the constitutionality of the mission, reciting that it was a departure from our wise and settled policy; that, for the conference and discussion contemplated, our envoys already accredited to the new republics were competent, without becoming involved as members of the congress. These resolutions, so the President at once wrote in his opulent and invaluable diary, "are the fruit of the ingenuity of Martin Van Buren and bear the impress of his character." The mission was, the opposition thus insisted, unconstitutional; a step enlarging the sphere of the federal government; a meddlesome and dangerous interference with foreign nations; and if it lay in the course of a strong and splendid policy, it was also part of a policy full of warlike possibilities almost sure to drag us into old-world quarrels. Clay's "American system," Hayne said in the senatorial debate, meant restriction and monopoly when applied to our domestic policy, and "entangling alliances" when applied to our foreign policy.

Van Buren's speech was very able. He did not touch upon the liberality of the Spanish Americans towards races other than the Caucasian, which peered out of Hayne's speech as one of the Southern objections. After using the wise and seemingly pertinent language of Washington against such foreign involvements, Van Buren skillfully referred to the very Prussian treaty which the President had cited in his message to the House. The elder Adams, the Senate was reminded, had departed from the rule commended by his great predecessor. He had told his first Congress that we were indeed to keep ourselves distinct and separate from the political system of Europe "if we can," but that we needed early and continual information of political projects in contemplation; that however we might consider ourselves, others would consider us a weight in the balance of power in Europe, which never could be forgotten or neglected; and that it was natural for us, studying to be neutral, to consult with other nations engaged in the same study. The younger Adams had been, Van Buren pointed out, appointed upon the Berlin mission to carry out these heretical suggestions of his father. The

Republicans of that day had vigorously opposed the mission; and for their opposition were denounced as a faction, and lampooned and vilified "by all the presses supporting and supported by the government, and a host of malicious parasites generaled by its patronage." But, covered with Washington's mantle, the Republicans of '98 had sought to strangle at its birth this political hydra, this first attempt since the establishment of the government to subject our political affairs to the terms and conditions of political connection with a foreign nation. Probably anticipating the success of the administration senators by a majority of five, Van Buren ingeniously reminded the Senate that those early Republicans had failed with a majority of four against them. But it was to be remembered, he continued, that after a few more such Federalist victories the ruin of Federalism had been complete. Its doctrines had speedily received popular condemnation. The new administration under the presidency of that early minister to Prussia had returned to the practices of the Federalist party, to which Van Buren with courteous indirection let it be remembered that the president had originally belonged. Except a guaranty to Spain of its dominions beyond the Mississippi, which Jefferson had offered as part of the price of a cession of the territory between that river and the Mobile, the administrations of Jefferson, Madison, and Monroe had strictly followed the admonition of Washington: "Peace, commerce, and honest friendship with all nations, entangling alliances with none." If we were asked to form a connection with European states, such as was proposed with the southern republics, Van Buren argued, no American would approve it; and there was no sound reason, there was nothing but fanciful sentiment, to induce us to distinguish between the states of Europe and those of South America. Grant that there was a Holy Alliance in monarchical Europe, was it not a hollow glory, inconsistent with a sober view of American interests, to create a holy alliance in republican America? It might indeed be easy to agree upon speculative opinions with our younger neighbors at the south; but we should be humiliated in their eyes, and difficulties would at once arise, when means of promoting those opinions were proposed, and we were then to say we could talk but not fight. The Monroe doctrine was not to be withdrawn; but we ought to be left free to act upon it without the burden of promises, express or implied. The proposed congress was a specious and disguised step towards an American confederacy, full of embarrassment, full of danger; and the first step should be firmly resisted. Such was the outline of Van Buren's argument; and its wisdom has commanded a general assent from that day.

Dickerson of New Jersey very well phrased sound American sentiment when he said in the debate that, next to a passion for war, he dreaded a passion for diplomacy. The majestic declamation of Webster, his pathetic picture of a South America once oppressed but now emancipated, his eloquent cry that if it were weak to feel that he was an American it was a weakness from which he claimed no exemption, — all this met a good deal of exuberant response through the country. But it failed, as in our history most such efforts have failed, to convince the practical judgment of Americans, a judgment never long dazzled or inspired by the picture of an America wielding enormous or dominant international power. The Panama congress met in the absence of the American representatives, who had been delayed. It made a treaty of friendship and perpetual confederation to which all other American powers might accede within a year. The congress was to meet annually in time of common war, and biennially in times of peace. But it never met again. The "centre of the world" was too far away from its very neighbors. Even South American republics could not be kept together by effusions of republican glory and international love.

In spite of its victory in Congress, Adams's administration had plainly opened with a serious mistake. The opposition was perfectly legitimate; and although in the debate it was spoken of as unorganized, it certainly came out of the debate a pretty definite party. Before the debate Adams had written in his diary, and truly, that it was the first subject upon which a great effort had been made "to combine the discordant elements of the

Crawford and Jackson and Calhoun men into a united opposition against the administration." Although some of the Southern opposition was heated by a dislike of States in which negroes were to be administrators, the division was not at all upon a North and South line. With Van Buren voted Findlay of Pennsylvania, Chandler and Holmes of Maine, Woodbury of New Hampshire, Dickerson of New Jersey, Kane of Illinois, making seven Northern with twelve Southern senators. Against Van Buren were eight senators from slave States, Barton of Missouri, Bouligny and Johnston of Louisiana, Chambers of Alabama, Clayton and Van Dyke of Delaware, Richard M. Johnson of Kentucky, and Smith of Maryland. It was an incipient but a true party division.

Throughout this session of 1824–25 Van Buren was very industrious in the Senate, and nearly, if not quite, its most conspicuous member, if account be not taken of Randolph's furious and blazing talents. Calhoun was only in the chair as vice-president; the great duel between him and Van Buren not yet begun. Clay was at the head of the cabinet, and Webster in the lower House. Jackson was in Tennessee, watching with angry confidence, and aiding, the rising tide with the political dexterity in which he was by no means a novice. Having only a minority with him, and with Benton frequently against him, Van Buren gradually drilled his party into opposition on internal improvements, — a most legitimate and important issue. In December, 1825, he threw down the gauntlet to the administration, or rather took up its gauntlet. He proposed a resolution "that Congress does not possess the power to make roads and canals within the respective States." At the same time he asked for a committee to prepare a constitutional amendment on the subject like his earlier proposal, saying with a touch of very polite partisanship that though the President's recent declaration, that the power clearly existed in the Constitution, might diminish, it did not obviate the necessity of an amendment. In March, April, and May, 1826, he opposed appropriations of $110,000 to continue the Cumberland road, and of $50,000 for surveys preparatory to roads and canals, and subscriptions to stock of the Louisville and Portland Canal Company and of the Dismal Swamp Canal Company. All these were distinctly administration measures.

Although the principles advanced by Van Buren in this part of his opposition have not since obtained complete and unanimous affirmance, they have at least commanded so large, honorable, and prolonged support, that his attitude can with little good sense be considered one of factious difference. Especially wise was he on the question of government subscriptions to private canal companies. Upon one of these bills he said, in May, 1826, that he did not believe that the government had the constitutional power to make canals or to grant money for them; but he added that, if he believed otherwise, the grant of money should, he thought, be made directly, and not by forming a partnership between the government and a private corporation. In 1824 he had voted for the road from Missouri to New Mexico; but this stood, as the Pacific railway later stood, upon a different principle, the former as a road entirely without state limits and a means of international commerce, and the latter a road chiefly through federal territories, and of obvious national importance in the war between the North and the South.

The proposed amendment of the Constitution to prevent the election of president by a vote of States in the House of Representatives, upon which Van Buren had spoken in 1824, had now acquired new interest. Van Buren seized Adams's election in the House as a good subject for political warfare; and it was clearly a legitimate topic for party discussion and division. Van Buren would have been far more exalted in his notions of political agitation than the greatest of political leaders, had he not sought to use the popular feeling, that the American will had been subverted by the decision of the House, to promote his plan of constitutional reform. He told the Senate in May, 1826, that he was satisfied that there was no one point on which the people of the United States were more perfectly united than upon the propriety of taking the choice of president from the House. But Congress was not ready for the change: however much in theory was to be said against the clumsy system which nearly made Burr president in 1801,[1] and which produced in 1825 a choice which Adams himself declared that he would vacate if the Constitution provided a mode of doing it.

As chairman of the judiciary committee, Van Buren participated in a most laborious effort to enlarge the federal judiciary. Upon the question whether the judges of the Supreme Court should be relieved from circuit duty, he made an elaborate and very able speech upon the negative side. The opportunity arose for a disquisition on the danger of centralized government, and for a renewal of the criticisms he had made in the New York Constitutional Convention upon the common and absurd picture of judges as dwellers in an atmosphere above all human infirmity, and beyond the reach of popular impression. Van Buren said, what all sensible men know, that in spite of every effort, incompetent men will sometimes reach the judicial bench. If always sitting among associates *in banc*, their incompetence would be shielded, he said, by their abler brethren. But if regularly compelled to perform their great duties alone and in the direct face of the people, and not in the isolation of Washington, there was another constraint, Van Buren said very democratically and with substantial truth. "There is a power in public opinion in this country," he declared, "and I thank God for it, for it is the most honest and best of all powers, which will not tolerate an incompetent or unworthy man to hold in his weak or wicked hands the lives and fortunes of his fellow citizens." He added an expression to which he would afterwards have given most narrow interpretation. The Supreme Court stood, he said, "as the umpire between the conflicting powers of the general and state governments." There was in the speech very plain though courteous intimation of that jealousy with which Van Buren's party examined the political utterances of the court from Jefferson's time until, years after Van Buren's retirement, the party found it convenient to receive from the court, with a sanctimonious air of veneration, the most odious and demoralizing of all its expressions of political opinion. In arguing for a close and democratic relation between the judges and the different parts of the country, and against their dignified and exalted seclusion at Washington which was so agreeable to many patriotic Americans, Van Buren said, in a passage which is fairly characteristic of his oratorical manner: —

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[1] The more conspicuous difficulty in 1801 arose from the voting by each elector for two candidates without distinguishing which he preferred for president and which for vice-president. But the awkwardness and not improbable injustice of a choice by the House was also well illustrated in February, 1801.

> "A sentiment I had almost said of idolatry for the Supreme Court has grown up, which claims for its members an almost entire exemption from the fallibilities of our nature, and arraigns with unsparing bitterness the motives of all who have the temerity to look with inquisitive eyes into this consecrated sanctuary of the law. So powerful has this sentiment become, such strong hold

has it taken upon the press of this country, that it requires not a little share of firmness in a public man, however imperious may be his duty, to express sentiments that conflict with it. It is nevertheless correct, sir, that in this, as in almost every other case, the truth is to be found in a just medium of the subject. To so much of the high-wrought eulogies (which the fashion of the times has recently produced in such great abundance) as allows to the distinguished men who now hold in their hands that portion of the administration of public affairs, talents of the highest order, and spotless integrity, I cheerfully add the very humble testimony of my unqualified assent. That the uncommon man who now presides over the court, and who I hope may long continue to do so, is, in all human probability, the ablest judge now sitting upon any judicial bench in the world, I sincerely believe. But to the sentiment which claims for the judges so great a share of exemption from the feelings that govern the conduct of other men, and for the court the character of being the safest depository of political power, I do not subscribe. I have been brought up in an opposite faith, and all my experience has confirmed me in its correctness. In my legislation upon this subject I will act in conformity to those opinions. I believe the judges of the Supreme Court (great and good men as I cheerfully concede them to be) are subject to the same infirmities, influenced by the same passions, and operated upon by the same causes, that good and great men are in other situations. I believe they have as much of the *esprit de corps* as other men. Those who think[1] otherwise form an erroneous estimate of human nature; and if they act upon that estimate, will, soon or late, become sensible of their delusion."

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[1] Gales and Seaton's Debates in Congress give here the word "act" instead of "think," — but erroneously, I assume.

At this session, upon the election by the Senate of their temporary president, Van Buren received the compliment of four votes. In May, 1826, he participated in Benton's report on the reduction of executive patronage, a subject important enough, but there crudely treated. The report strongly exhibited the jealousy of executive power which had long been characteristic of American political thought. By describing the offices within the president's appointment, their numbers and salaries, and the expense of the civil list, a striking picture was drawn — and in that way a striking picture can always be drawn — of the power of any great executive. By imagining serious abuses of power, the picture was darkened with the dangers of patronage, as it could be darkened to-day. The country was urged to look forward to the time when public revenue would be doubled, when the number of public officers would be quadrupled, when the president's nomination would carry any man through the Senate, and his recommendation any measure through Congress. Names, the report said, were nothing. The first Roman emperor was styled Emperor of the Republic; and the late French emperor had taken a like title. The American president, it was hinted, might by his enormous patronage and by subsidies to the press, nominally for official advertisements, subject us to a like danger. But the usefulness of such pictures as these of Benton and Van Buren depends upon the practical lesson taught by the artists. If there were disadvantages and dangers which our ancestors rightly feared, in placing the federal patronage under the sole control of the president, so there are disadvantages and dangers in scattering it by laws into various hands, or in its subjection to the traditions of "senatorial courtesy."

Six bills accompanied the report. Two of them proposed the appointment of military cadets and midshipmen, one of each from every congressional district; and this was afterwards done, giving a petty patronage to national legislators which public sentiment has but recently begun to compel them to use upon ascertained merit rather than in sheer favoritism. A third bill proposed that military and naval commissions should run "during good behavior" and not "during the pleasure of the president." A fourth sought with extraordinary unwisdom to correct the old but ever new abuse of government advertising, by depriving the responsible executive of its distribution and by placing it in the hands of congressmen, perhaps the very worst to hold it. Another required senatorial confirmation for postmasters whose emoluments exceeded an amount to be fixed. The remaining bill was very wise, and a natural sequence of Benton's not untruthful though too highly colored picture. The law of 1820, which fixed at four years the terms of many subordinate officers, was to be modified so as to limit the terms only for officers who had not satisfactorily accounted for public moneys. It has been commonly said that this act was a device of Crawford, when secretary of the treasury, more easily to use federal patronage for his presidential canvass. But there seems to be no sufficient reason to doubt that Benton's and Van Buren's committee correctly stated the intent of the authors of the law to have been no more than that the officer should be definitely compelled by the expiration of his term to render his accounts and have them completely audited; that it was not intended that some other person should succeed an officer not found in fault; and that the practice of refusing re-commissions to deserving officers was an unexpected perversion of the law. The committee simply proposed to accomplish the true intent of the law. The same bill required the president to state his reasons for removals of officers when he nominated their successors. The proposals in the last two bills were very creditable to Benton and Van Buren and their coadjutors. It is greatly to be lamented that they were not safely made laws while patronage was dispensed conscientiously and with sincere public spirit by the younger Adams, so far as he could control it. The biographer has more particularly to lament that during the twelve years of Van Buren's executive influence he seemed daunted by the difficulties of voluntarily putting in practice the admirable rules which as a senator he would have imposed by law upon those in executive stations. It was only three years after this report, that the great chieftain, whom Benton and Van Buren helped to the presidency, discredited all its reasoning by proposing "a general extension" of the law whose operation they would have thus limited. The committee also proposed by constitutional amendment to forbid the appointment to office of any senator or representative until the end of the presidential term in which he had held his seat. This was also one of the reforms whose necessity seems plain enough to the reformer, until in office he discovers the conveniences and perhaps the public uses of the practice he has wished to abolish.

In the short session of 1826–1827, little of any importance was done. Van Buren refused to vote with Benton to abolish the duty on salt, a vote doubtless influenced by the apparent interest of New York, which itself taxed the production of salt to aid the State in its internal improvements, and which probably could not maintain the tax if foreign salt were admitted free. Van Buren did not, indeed, avow, nor did he disavow this reason. He was content to point out that the great canals of New York were of national use, though their expense was borne by his State alone. He voted at this session for lower duties on teas, coffees, and wines. He did not join Benton and others in their narrow unwillingness to establish a naval academy. Van Buren's temper was eminently free from raw prejudices against disciplined education. The death of one of the envoys to the Panama congress enabled him again at this session to renew his opposition by a vote against filling the vacancy. Another attempt was made to pass a bankruptcy bill; but again it failed through the natural and wholesome dislike of increasing the powers of the federal judiciary, and the preference that state courts and laws should perform all the work to which they were reasonably competent. The bill did not even pass the Senate, until by Van Buren's opposition it had been reduced to a bill establishing a summary and speedy remedy for creditors against fraudulent or failing traders, instead of a general system of bankruptcy, voluntary and involuntary, for all persons. Van Buren's speech against the insolvency features of the bill was made on January 23, 1827, only a few days before his successor as senator was to be chosen. But the thoughtless popularity which often accompanies sweeping propositions of relief to insolvents did not move him from resolute and successful opposition to what he called (and later experience has most abundantly justified him) "an injurious extension of the patronage of the federal government, and an insupportable enlargement of the range of its judicial power." On February 24, 1827, a few days after his reëlection, he delivered a lucid and elaborate speech on the long-perplexing topic of the restrictions upon American trade with the British colonies, a subject to be afterwards closely connected with his political fortunes.

The agitation of the coming presidential election left little of its turbulence upon the records of the long session from December, 1827, to May, 1828. Van Buren was doubtless busy enough out of the senate chamber. But he was still a very busy legislator. He spoke at least twice in favor of the bill to abolish imprisonment under judgments rendered by federal courts for debts not fraudulently incurred, the bill which Richard M. Johnson had pressed so long and so honorably; and at last he saw the bill pass in January, 1828. He spoke often upon the technical bill to regulate federal judicial process. Again he voted, and again in a minority and in opposition to Benton and other political friends, against bills to extend the Cumberland road and for other internal improvements. Besides the usual bills to appropriate lands for roads and canals, and to subscribe to the stock of private canal companies, a step further was now taken in the constitutional change led by Adams and Clay. Public land was voted for the benefit of Kenyon College, in the State of Ohio. There was plainly intended to be no limit to federal beneficence. In this session Van Buren again rushed to defend the salt duty so dear to New York.

At the same session was passed the "tariff of abominations," a measure so called from the oppressive provisions loaded on it by its enemies, but in spite of which it passed. Van Buren, though he sat still during the debate, cast for the bill a protectionist vote, with Benton and several others whose convictions were against it, but who yielded to the supposed public sentiment or the peremptory instructions of their States, or who did not yet dare to make upon the tariff a presidential issue. The votes of the senators were sectionally thus distributed: For the tariff, — New England, 6; Middle States, 8; Louisiana, 1; and the Western States, 11; in all 26. Against it, — New England, 5; Maryland, 2; Southern States, 13; and Tennessee, 1. It was a victory of neither political party, but of the Middle and Western over the Southern States. Only three negative votes were cast by senators who had voted against the administration on the Panama question in 1826; while of the votes for the tariff, fourteen were cast by senators who had then opposed the administration. Of the senators in favor of the tariff, six, Van Buren, Benton, Dickerson of New Jersey, Eaton of Tennessee (Jackson's close friend), Kane of Illinois, and Rowan of Kentucky, had in 1826 been in opposition, while ten of those voting against the tariff had then been with them.[1] The greater number of the opposition senators were therefore against the tariff, though very certainly the votes of Van Buren, Benton, and Eaton prevented the opposition from taking strong ground or suffering injury on the tariff in the election. Van Buren's silence in this debate of 1828 indicated at least a temper now hesitant. But he and his colleague, Sanford, according to the theory then popular that senators were simply delegated agents of their States, were constrained, whatever were their opinions, by a resolution of the legislature of New York passed almost unanimously in January, 1828. It stated a sort of *ultima ratio* of protection, commanding the senators "to make every proper exertion to effect such a revision of the tariff as will afford a sufficient protection to the growers of wool, hemp, and flax, and the manufacturers of iron, woolens, and every other article, so far as the same may be connected with the interest of manufactures, agriculture, and commerce." The senators might perhaps have said to this that, if they were to protect not only iron and woolens but also every other article, they ought not to levy prohibitory duties on some and not on other articles; that if they were equally to protect manufactures, agriculture, and commerce, they could do no better than to let natural laws alone. But the silly instruction said what no intelligent protectionist means; his system disappears with an equality of privilege; that equality must, he argues, at some point yield to practical necessities. Van Buren took the resolution, however, in its intended meaning, and not literally. Hayne concluded his fine struggle against the bill by a solemn protest upon its passage that it was a partial, unjust, and unconstitutional measure.

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[1] The comparison cannot of course be complete, as some who were senators in 1826 were not senators in 1828.

At this session Van Buren, upon the consideration of a rule giving the Vice-President power to call to order for words spoken in debate, made perhaps the most elaborate of his purely political speeches. It was a skillful and not unsuccessful effort to give philosophical significance to the coming struggle at the polls. He spoke of "that collision, which seems to be inseparable from the nature of man, between the rights of the few and the many," of "those never-ceasing conflicts between the advocates of the enlargement and concentration of power on the one hand, and its limitation and distribution on the other." The one party, he said, had "grown out of a deep and settled distrust of the people and of the States:" the other, out of "a jealousy of power justified by all human experience." The advocates of "a strong government," having been defeated in much that they sought in the federal convention, had since, he said, "been at work to obtain by construction what was not included or intended to be included in the grant." He declared the incorporation of the United States Bank to be the "great pioneer of constitutional encroachments." Thence had followed those famous usurpations, the alien and sedition laws of the older Adams's administration. Then came the doctrine that the House of Representatives was bound to make all appropriations necessary to carry out a treaty made by the President and Senate; and then "the bold avowal that it belonged to the President alone to decide upon the propriety" of a foreign mission, and that it was for the Senate only "to pass on the fitness of the individuals selected as ministers." He lamented the single lapse of Madison, "one of the most, if not the most, accomplished statesman that our country has produced," in signing the bill to incorporate the new bank. The younger Adams, Van Buren declared, had "gone far beyond the utmost latitude of construction" therefore claimed; and he added a reference, decorous enough but neither fair nor gracious, to Adams's own early entrance in the public service upon a mission unauthorized by Congress. It was now demonstrated, he said, that the result of the presidential choice of 1825 "was not only the restoration of the men of 1798, but of the principles of that day." The spirit of encroachment had, it was true, become more wary; but it was no more honest. The system had then been coercion; now it was seduction. Then unconstitutional powers had been exercised to force submission; now they were assumed to purchase golden opinions from the people with their own means. Isolated acts of the Federalists had not produced an unyielding exclusion from the confidence of a majority of the people, for more than a quarter of a century, of large masses of men distinguished for talent and private worth. The great and glorious struggle had proceeded from something deeper, an opposition to the principle of an extension of the constructive powers of the government. Without harsh denunciation, and by suggestion rather than assertion, the administration of John Quincy Adams was grouped with the administration of his father. The earlier administration had deserved and met the retribution of a Republican victory. The later one now deserved and ought soon to meet a like fate.

The issue was clearly made. The parties were formed. The result rested with the people. On February 6, 1827, Van Buren had been reëlected senator by a large majority in both houses of the New York legislature. In his brief letter of acceptance he said no more on public questions than that it should be his "constant and zealous endeavor to protect the remaining rights reserved to the States by the federal Constitution," and "to restore those of which they have been divested by construction." This had been the main burden of his political oratory from the inauguration of Adams. There are many references in books to doubts of Van Buren's position until 1827; but such doubts are not justified in the face of his prompt and perfectly explicit utterances in the session of 1825–1826, and from that time steadily on.

De Witt Clinton's death on February 11, 1828, removed from the politics of New York one of its most illustrious men, a statesman of the first rank, able and passionate, and of the noblest aspirations. The understanding reached between him and Van Buren in 1826, for the support of Jackson, had not produced a complete coalition. In spite of the union on Jackson, the Bucktails nominated and Van Buren loyally supported for governor against Clinton in 1826, William B. Rochester, a warm friend and supporter of Adams and Clay, and one of the members of the very Panama mission against which so strenuous a fight had been made. Clinton was reëlected by a small majority. In a meeting at Washington after his death, Van Buren declared the triumph of his talents and patriotism to be monuments of high and enduring fame. He was glad that, though in their public careers there had been "collisions of opinions and action at once extensive, earnest, and enduring," they had still been "wholly free from that most venomous and corroding of all poisons, personal hatred." These collisions were now "turned to nothing and less than nothing." Speaking of his respect for Clinton's name and gratitude for his signal services, Van Buren concluded with this striking tribute: "For myself, so strong, so sincere, and so engrossing is that feeling, that I, who whilst living, never — no, never, envied him anything, now that he has fallen, am greatly tempted to envy him his grave with its honors."

With this session of 1827–1828 ended Van Buren's senatorial career and his parliamentary leadership. From 1821 to 1828 the Senate was not indeed at its greatest glory. Webster entered it only in December, 1827. Hayne and Benton with Van Buren are to us its most distinguished members, if Randolph's rather indescribable and useless personality may be excepted. But to neither of them has the opinion of later times assigned a place in the first rank of orators, although Hayne's tariff speech in 1824 deserves to be set with the greatest of American political orations. The records and speeches of the Senate in which Van Buren sat have come to us with fine print and narrow margins; they have not contributed to the collected works of great men. But the Senate was then an able body. The principles of American politics were never more clearly stated. When the books are well dusted, and one has broken through the starched formality in which the speakers' phrases were set, he finds a copious fund of political instruction. The federal Senate was more truly a parliamentary body in those formative days than perhaps at any other period. Several at least of its members were in doubt as to the political course they should follow; they were in doubt where they should find their party associations. To them, debates had therefore a real and present significance. There were some votes to be affected, there were converts to be gained, by speeches even on purely political questions; there were some senators whose votes were not inexorably determined for them by the will of their parties or their constituents. Much that was said had therefore a genuine parliamentary ring. The orators really sought to convince and persuade those who heard them within the easy and almost conversational limits of the old senate chamber. There was little of the mere pronouncing of essays or declamations intended to have their real and only effect elsewhere. In this art of true parliamentary speaking rather than oratory, Van Buren was a master such as Lord Palmerston afterwards became. He was not eloquent. His speeches, so far as they are preserved, interest the student of political history and not of literature. They are sensible, clear, practical arguments made in rather finished sentences. One does not find quotations from them in books of school declamation. But they served far more effectively the primary end of parliamentary speaking than did the elaborate and powerful disquisitions of Calhoun, or the more splendid flood of Webster's eloquence. Van Buren's speeches were intended to convince, and they did convince some of the men in the seats about him. They were meant to persuade, and they did persuade. They were lucid exhibitions of political principles, generally practical, and touched sufficiently but not morbidly with the theoretical fears so common to our earlier politics. Some of those fears have since been shown to be groundless; but out of many of them has come much that is best in the modern temper of American political institutions. Van Buren's speeches did not rise beyond the reach of popular understanding, although they never warmly touched popular sympathy. They were intended to formulate and spread a political faith in which he plainly saw that there was the material of a party, — a faith founded upon the jealousy of federal activity, however beneficent, which sought to avoid state control or encourage state dependence. The prolixity which was a grave fault of his state papers and political letters was far less exhibited in his oratorical efforts. His style was generally easy and vigorous, with little of the turgid learning which loaded down many sensible speeches of the time. Now and then, however, he resorted to the sentences of stilted formality which sometimes overtake a good public speaker, as a good actor sometimes lapses into the stage strut.

In Van Buren's senatorial speeches there is nothing to justify the charge of "non-committalism" so much made against him. When he spoke at all he spoke explicitly; and he plainly, though without acerbity, exhibited his likes and dislikes. Jackson was struck with this when he sat in the Senate with him. "I had heard a great deal about Mr. Van Buren," he said, "especially about his non-committalism. I made up my mind that I would take an early opportunity to hear him and judge for myself. One day an important subject was under debate in the Senate. I noticed that Mr. Van Buren was taking notes while one of the senators was speaking. I judged from this that he intended to reply, and I determined to be in my seat when he spoke. His turn came; and he rose and made a clear, straightforward argument, which, to my mind, disposed of the whole subject. I turned to my colleague, Major Eaton, who sat next to me. 'Major,' said I, 'is there anything non-committal about that?' 'No, sir,' said the major." Van Buren scrupulously observed the amenities of debate. He was uniformly courteous towards adversaries; and the calm self-control saved him, as some greater orators were not saved, from a descent to the aspersion of motive so common and so futile in political debate. He could not, indeed, help now and then an allusion to the venality and monarchical tendency of the Federalists and their successors; but this was an old formula which strong haters had years before made very popular in the Republican phrase-book, and which, as to the venality, meant nobody in particular.

CHAPTER V

DEMOCRATIC VICTORY IN 1828. — GOVERNOR

When in May, 1828, Van Buren left Washington, the country universally recognized him as the chief organizer of the new party and its congressional leader. As such he turned all his skill and industry to win a victory for Jackson and Calhoun. There was never in the history of the United States a more legitimate presidential canvass than that of 1828. The rival candidates distinctly stood for conflicting principles of federal administration. On the one side, under Van Buren's shrewd management, with the theoretical coöperation of Calhoun, — the natural bent of whose mind was now aided and not thwarted by the exigencies of his personal career, — was the party inclined to strict limitation of federal powers, jealous for local powers, hostile to internal improvements by the federal government, inclined to a lower rather than a higher tariff. On the other side was the party strongly national in temper, with splendid conceptions of a powerful and multifariously useful central administration, impatient of the poverties and meannesses of many of the States. The latter party was led by a president with ampler training in public life than any American of his time, who sincerely and intelligently believed the principles of his party; and his party held those principles firmly, explicitly, and with practical unanimity. Jefferson, in almost his last letter, written in December, 1825, to William B. Giles, a venerable leader of the Democracy, the "Charles James Fox of Congress," Benton's "statesman of head and tongue," recalled indeed Adams's superiority over all ordinary considerations when the safety of his country had been questioned; but Jefferson declared himself in "the deepest affliction" at the usurpations by which the federal branch, through the decisions of the federal court, the doctrines of the President, and the misconstructions of Congress, was stripping its "colleagues, the state authorities, of the powers reserved to them." The voice from Monticello, feeble with its eighty-three years, and secretly uttered though it was, sounded the summons to a new Democratic battle.

Van Buren and his coadjutors, however, led a party as yet of inclination to principles rather than of principles. It was out of power. There was neither warmth nor striking exaltation in its programme. Its philosophical and political wisdom needed the aid of one of those simple cries for justice which are so potent in political warfare, and a leader to interest and fire the popular temper. Both were at hand. The late defeat of the popular will by the Adams-Clay coalition was the cry; the hero of the military victory most grateful to

Americans was the leader. To this cry and this leader Van Buren skillfully harnessed an intelligible, and at the least a reasonable, political creed. There were thus united nearly all the elements of political strength. Not indeed all, for the record of the leader was weak upon several articles of faith. Jackson had voted in the Senate for internal improvement bills, and among them bills of the most obnoxious character, those authorizing subscriptions to the stocks of private corporations. He had voted against reductions of the tariff. But the votes, it was hoped, exhibited only his inexpertness in applying general principles to actual legislation, or a good-natured willingness to please his constituents by single votes comparatively unimportant. In truth these mistakes were really inconsistencies of the politician, and no more. There had been a long inclination on Jackson's part to the Jeffersonian policy. Over thirty years before, he had in Congress been a strict constructionist and an anti-federalist. In 1801 he had required a candidate desiring his support to be "an admirer of state authority, agreeable to the true literal meaning" of the Constitution, and "banishing the dangerous doctrine of implication." If he were now to have undivided responsibility, this old Democratic trend of his would, it was hoped, be strong enough under Democratic advice. As a candidate, the inconsistencies of a soldier politician were far outweighed by his picturesque and powerful personality. It is commonly thought of Jackson that he was a headstrong, passionate, illiterate man, used and pulled about by a few intriguers. Nothing could be further from the truth. He was himself a politician of a high order. His letters are full of shrewd, vigorous, and even managing suggestions of partisan manœuvres. Their political utterances show a highly active and generally sensible though not disciplined mind. He had had long and important experience of civil affairs, in the lower house of Congress, in the federal Senate when he was only thirty years old, in the constitutional convention of his State, in its Supreme Court, later again in the Senate; he had been for eight years before the country as a candidate for its first office, and for many years in public business of large importance. There were two of the most distinguished Americans, men of the ripest abilities and amplest experience, and far removed from rashness, who from 1824 or before had steadily preferred Jackson for the presidency. These were Edward Livingston of Louisiana and De Witt Clinton of New York. Daniel Webster described his manners as "more presidential than those of any of the candidates." Jackson was, he wrote, "grave, mild, and reserved." Unless in Jackson's case there were effects without adequate causes, it is very certain that, with faults of most serious character, he still had the ability, the dignity, and the wisdom of a ruler of a high rank. He was, as very few men are, born to rule.

After Crawford's defeat, Van Buren is credited with a skillful management of the alliance of his forces with those of Jackson. There is not yet public, if it exist, any original evidence as to the details of this work. Van Buren's enemies were fond of describing it as full of cunning and trickery, the work of "the little magician;" and later and fairer writers have adopted from these enemies this characterization. But all this seems entirely without proof. Nor is the story probable. The union of the Crawford and Jackson men was perfectly natural. Crawford was a physical wreck, out of public life. Numerous as were the exceptions, his followers and Jackson's included the great majority of the strict constructionists; and but a minority of either of the two bodies held the opposite views. Neither of the two men had, at the last election, been defeated by the other. That Van Buren used at Washington his unrivaled skill in assuaging animosities and composing differences there can be no doubt. After the end of the session in March, 1827, together with Churchill C. Cambreleng, a member of Congress from New York and a close political friend of his, he made upon this mission a tour through Virginia, the Carolinas, and Georgia. They visited Crawford, and were authorized to declare that he should support Jackson, but did not wish to aid Calhoun. At Raleigh Van Buren told the citizens that the spirit of encroachment had assumed a new and far more seductive aspect, and could only be resisted by the exercise of uncommon virtues. Passing through

Washington on his way north, he paid a polite visit to Adams, talking with him placidly about Rufus King, Monroe, and the Petersburg horse-races. The President, regarding him as "the great electioneering manager for General Jackson," promptly noted in his diary, when the interview was over, that Van Buren was now acting the part Burr had performed in 1799 and 1800; and he found "much resemblance of character, manners, and even person, between the two men."

As early as 1826 the Van Buren Republicans of New York, and an important part of the Clintonians with the great governor at their head, had determined to support Jackson. Van Buren is said to have concealed his attitude until after his reëlection to the Senate in 1827. But this is a complete error, except as to his public choice of a candidate. His opposition to the Adams-Clay administration, it has already appeared, had been outspoken from 1825. The Jackson candidacy was not indeed definitely announced in New York until 1827. The cry for "Old Hickory" then went up with a sudden unanimity which seemed to the Adams men a bit of devilish magic, but which was the patient prearrangement of a skillful politician appreciating his responsibility, and waiting, as the greatest of living politicians[1] recently told England a statesman ought to wait, until the time was really ripe, until the popular inclination was sufficiently formed to justify action by men in responsible public station.

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[1] This and several other references of mine to Gladstone were written ten years and more before his death. These years of his brief but extraordinary Home Rule victory, of his final defeat, — for Lord Rosebery's defeat was Gladstone's defeat, — and of his

The opposition to the reëlection of John Quincy Adams in 1828 was sincerely considered by him, and has been often described by others, as singularly causeless, unworthy, and even monstrous. But in truth it led to one of the most necessary, one of the truest, political revolutions which our country has known. Both Adams and Clay were positive and able men. They were resolute that the rather tepid democracy of Monroe should be succeeded by a highly national, a federally active administration. Prior to the election of 1824 Clay had been as nearly in opposition as the era of good feeling permitted. Early in Monroe's administration he had attacked the President's declaration that Congress had no right to construct roads and canals. His criticism, Mr. Schurz tells us in his brilliant and impartial account of the time, "had a strong flavor of bitterness in it;" it was in part made up of "oratorical flings," by which Clay unnecessarily sought to attack and humiliate Monroe. Adams's diary states Clay's opposition to have been "violent, systematic," his course to have been "angry, acrimonious." Late in 1819 Monroe's

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retirement, have not only added a mellow and almost sacred splendor to his noble career, but have still better demonstrated his superb political gifts. What politician indeed, dead or living, is to be ranked above him?

friends had even consulted over the wisdom of defeating Clay's reëlection to the speakership; and still later Clay had, as Mr. Schurz says, fiercely castigated the administration for truckling to foreigners. When Clay came into power, it would have been unreasonable for him to suppose that there must not arise vigorous parliamentary opposition on the part of those who consider themselves the true Republican successors of Monroe, seeking to stop the diversion into strange ways which Clay and Adams had now begun. Richard Rush of Pennsylvania, Adams's secretary of the treasury, and now the Adams candidate for vice-president, had, in one of his annual reports, declared it to be the duty of government "to augment the number and variety of occupations for its inhabitants; to hold out to every degree of labor, and to every modification of skill, its appropriate object and inducement; to organize the whole labor of a country; to entice into the widest ranges its mechanical and intellectual capacities, instead of suffering them to slumber; to call forth, wherever hidden, latent ingenuity, giving to effort activity and to emulation ardor; to create employment for the greater amount of numbers by adapting it to the diversified faculties, propensities, and situations of men, so that every particle of ability, every shade of genius, may come into requisition." Nor did this glowing picture of a useful and beneficent government go far beyond the utterances of Rush's senior associate on the presidential ticket. It is certain that it was highly agreeable to Clay.

Surely there could be no clearer political issue presented, on the one side by Van Buren's speeches in the Senate, and on the other by authoritative and solemn declarations of the three chief persons of the administration. Whatever the better side of the issue may have been, no issue was ever a more legitimate subject of a political campaign. It is true that the accusations were unfounded, which were directed against Adams for treachery to the Republican principles he professed after, on adhering to Jefferson, he had resigned his seat in the Senate. He had joined Jefferson on questions of foreign policy and domestic defense, and had, until his election to the presidency, been chiefly concerned with diplomacy. But though the accusations were false, it is true enough that Adams himself had made the issue of the campaign. Nor was it creditable to him that he saw in the opposition something merely personal to himself. If he were wrong upon the issue, as Van Buren and a majority of the people thought, his long public service, his utter integrity, his exalted sense of the obligations of office, ought not to have saved him from the battle or from defeat. (How true and deep was this political contest of 1828 one sees in the fact that from it, almost as much as from the triumph of Jefferson, flow the traditions of one of the great American parties, traditions which survived the corruptions of slavery, and are still powerful in party administration.[1] If John Quincy

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[1] This was written nine years before the lamentable surrender

Adams had been elected, and if, as might naturally have been the case, there had followed, at this commencement of railway building, a firm establishment of the doctrine that the national government could properly build roads within the States, it is more than mere speculation to say that the later history of the United States would, whether for the better or the worse, have been very different from what it has been. The dangers to which American institutions would be exposed, if the federal government had become a great power levying taxes upon the whole country to be used in constructing railways, or, what was worse, purchasing stock in railway corporations, and doing this, as it would inevitably have done, according to the amount of pressure here or there, — such dangers, it is easy to understand, seem, whether rightly or wrongly, appalling to a large class of political thinkers. To realize this sense of danger dissipates the aspect of *doctrinaire* extravagance in the speeches of Adams's opponents against latitudinarian construction.

In the canvass of 1828 there was on both sides more wicked and despicable exhibition of slander than had been known since Jefferson and John Adams were pitted against each other. Jackson was a military butcher and utterly illiterate; the

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of the organization of Van Buren's party at Chicago in 1896. It is safe to say that these traditions, even if fallen sadly out of sight, still make a deep and powerful force, which must in due time assert itself.

chastity of his wife was doubtful. Adams had corruptly bargained away offices; his accounts of public moneys received by him needed serious scrutiny; and, that the charges might be precisely balanced, he had when minister at St. Petersburg acted as procurer to the Czar of Russia. These lies doubtless defeated themselves; but in each election since 1828 there have been politicians low enough and silly enough to imitate them. To nothing of this kind did Van Buren descend. Nor does it seem that even then he used the cry of a corrupt bargain between Adams and Clay, in which Jackson believed as long as he lived. The coalition of 1825, defeating, as it had, a candidate chosen by a larger number of voters than any other, was the most used, and probably the most successfully used, of any of the campaign issues. Nor was this clearly illegitimate, although Adams and many for him have hotly condemned its immorality. Every political coalition between men lately in opposition political and personal, by which both get office, is fairly open to criticism. In experience it has always been full of political danger, although since the prejudice of the times has worn away, the defense of Adams and Clay is seen to be amply sufficient. Whatever had been their mutual dislikes political or personal, each of them was politically and in his practical statesmanship far nearer to the other than to any other of the competitors. But we have yet to see a political campaign against a coalition whose members have been rewarded with office, in which this form of attack is not made by men very intelligent and most honest. Nor is there any reason to hold the followers of Jackson to a higher standard. In our own time we have seen two coalitions whose parties wisely recognized this danger. The chief leaders of the Republican revolt in 1884 neither sought nor took office from the former adversaries with whom for once they then acted. The Dissenting Liberals in England did not take office in the Conservative ministry formed in 1886; and the odium which, in the change later made in it, followed Mr. Goschen into its second place, illustrated very well the truth that, however honorable the course may be, it is inevitably dangerous.[1]

Nor can moral condemnation be passed upon the use in 1828 of the defeat in 1824, of the candidate having the largest popular vote. We see pretty clearly in a constitutionally governed country that when power is lawfully lodged with a public man, he must act upon his own judgment; and that, if he be influenced by others, then he ought to be influenced by the wishes and interests of those who supported him, and not of those who opposed him, even though far more numerous than his supporters. Repeatedly have we seen a state legislature, which the arrangement of districts has caused to be elected from a party in minority in the whole State, choose a federal senator who it was known would have been defeated upon a popular vote; and this without criticism of the conduct of the legislators, but only of the defective district division. In Connecticut it has happened more than once that, neither candidate for governor having a majority vote, the legislature has chosen a candidate having one of the smaller minorities; and here again without criticism of the legislature's morality. But still the general rule of American elections is, that the candidate shall be chosen who is preferred by more votes than any other. To assent to a constitutional defeat of such a preference, but afterwards and under the law to make strong appeal to right the wrong which the law has wrought, seems a highly defensible course, and to deserve little of the criticism visited upon the Jackson canvass of 1828. If party divisions be justifiable, if chief public officers are to be chosen for their views on great questions of state, if the cold appeals of political reasoning are ever rightly strengthened by appeals to popular feelings, the campaign which Van Buren and his associates began in 1825 or 1826 was perfectly justifiable. Nor in its result can any one deny, whether it were for better or worse, that their success in the battle worked a change in the principles of administration, and not a mere vulgar driving from office of one body of men that another might take their places.

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[1] After the Dissenting Liberals had acted with the Conservatives, not only in the first Home Rule campaign in 1886, but during the Salisbury administration from 1886 to 1892, and in the campaigns of 1892 and 1895, the coalition was ended and a new and single party formed, of which the Duke of Devonshire and Mr. Chamberlain were leaders as really as Lord Salisbury or Mr. Balfour. The accession of the former to the Unionist ministry of 1895 was in no sense a reward for bringing over some of the enemy.

The death of De Witt Clinton left Van Buren easily the largest figure in public life, as he had for several years been the most powerful politician, in New York State. The gossip that the most important place in Jackson's cabinet was really allotted to him before the election of 1828 is probably true. But, whether true or not, there was, apart from a natural desire to administer the first office in his State, obvious advantage to his political prestige in passing successfully through a popular election. The most cynical of managing politicians recognize the enormous strength of a man for whom the people have actually shown that they like to vote. Van Buren may have counted besides upon the advantage which Jackson's personal popularity brought to those in his open alliance, although Adams was known still to have, as the election showed he had, considerable Democratic strength. Van Buren took therefore the Bucktail nomination for governor of New York. The National Republicans, as the Adams men were called, nominated Smith Thompson, a judge of the federal Supreme Court. Van Buren got 136,794 and Thompson 106,444 votes. But in spite of so large a plurality Van Buren did not quite have a majority of the popular vote. Solomon Southwick, the anti-Masonic candidate, received 33,345 votes. It was the first election after this extraordinary movement. The abduction of Morgan and his probable murder to prevent his revelation of Masonic secrets had occurred in the fall of 1826. The criminal trials consequent upon it had caused intense excitement; and a political issue was easily made, for many distinguished men of both parties were members of that secret order. How powerful for a time may be a popular cry, though based upon an utterly absurd issue, became more obvious still later when electoral votes for president were cast for William Wirt, the anti-Masonic candidate; and when John Quincy Adams, after graduating from the widest experience in public affairs of any American of his generation, was, as he himself records, willing to accept, and when William H. Seward was willing to tender him, a presidential nomination of the anti-Masonic party. As Southwick's preposterous vote was in 1828 drawn from both parties, Van Buren's prestige, although he had but a plurality vote, was increased by his victory at the polls. Jackson very truly said in February, 1832, that it was now "the general wish and expectation of the Republican party throughout the Union" that Van Buren should take the place next to the President in the national administration. Jackson was himself elected by a very great popular and electoral majority. In New York, where on this single occasion the electors were chosen in districts, and where the anti-Masonic vote was cast against Jackson who held high rank in the Masonic order, Adams secured 16 votes to

Jackson's 18; but to the latter were added the two electors chosen by the thirty-four district electors.

Van Buren's career as governor was very brief. He was inaugurated on January 1, 1829, and at once resigned his seat in the federal Senate. On March 12th of the same year he resigned the governor's seat. His inaugural message is said by Hammond, the political historian of New York, by no means too friendly to Van Buren, to have been "the best executive message ever communicated to the legislature;" and after nearly sixty years, it seems, in the leather-covered tome containing it, a remarkably clear, wise, and courageous paper. The excitement over internal improvements in communication was then at its height. He declared that, whatever difference there might be as to whether such improvements ought to be undertaken by the federal government or by the States, none seriously doubted that it was wise to apply portions of the means of New York to such improvements. The investment of the State in the Delaware and Hudson canal, thén just completed, had, he thought, been "crowned with the most cheering success." Splendid, too, as had been the success of the Erie and Champlain canals, it was still clear that all had not been equally benefited. The friends of the state road and of the Chemung and Chenango canals had urged him to recommend for them a legislative support. But it was a time, he said, for "the utmost prudence and circumspection" upon that "delicate and vitally interesting subject."

The banking question, he told the legislature, would make the important business of its session. It turned out besides to be one of the important businesses of Van Buren's career. To meet the attacks upon him for having once been interested in a bank, he dexterously recited that, "having for many years ceased to have an interest in those institutions and declined any agency in their management," he was conscious of his imperfect information. But he could not ignore a matter of such magnitude to their constituents. The whole bank agitation at this time showed the difficulties and scandals caused by the absence of a free banking system, and by the long accustomed grants of exclusive banking charters. Of the forty banks in the State, all specially incorporated, the charters of thirty-one would expire within one, two, three, or four years. Their actual capital was $15,000,000; their outstanding loans, more than $30,000,000. Van Buren urged, therefore, the legislature now to make by general law final disposition of the whole subject. The abolition of banks had, he said, no advocate, and a dependence solely upon those established by federal authority deserved none; but he rejected the idea of a state bank. "Experience," he declared, "has shown that banking operations, to be successful, and consequently beneficial to the community, must be conducted by private men upon their own account." He condemned the practice by which the State accepted a money bonus for granting a bank charter, necessarily involving some monopoly. The concern of the State, he pointed out, should be to make its banks and their circulation secure; and such security was impaired, not increased, by encouraging banks in competition with one another, and "stimulated by the golden harvest in view," to make large payments for their charters. He submitted for legislative consideration the idea of the "safety fund" communicated to him in an interesting and intelligent paper by Joshua Forman. Under this system all the banks of the State, whatever their condition, were to contribute to a fund to be administered under state supervision, the fund to be a security for all dishonored bank-notes. To this extent all the banks were to insure or indorse the circulation of each bank, thus saving the scandal and loss arising from the occasional failure of banks to redeem their notes, and making every bank watchful of all its associates. In compelling the banks to submit to some general scheme, the representative of the people would indeed, he said, enter into "conflict with the claims of the great moneyed interest of the country; but what political exhibition so truly gratifying as the return to his constituents of the faithful public servant after having turned away every approach and put far from him every sinister consideration!"

Van Buren proposed a separation of state from national elections; a question still discussed, and upon each side of which much is to be said. He attacked the use of money in elections, "the practice of employing persons to attend the polls for compensation, of placing large sums in the hands of others to entertain the electors," and other devices by which the most valuable of all our temporal privileges "was brought into disrepute." If the expenses of elections should increase as they had lately done, the time would soon arrive "when a man in middling circumstances, however virtuous, will not be able to compete upon anything like equal terms with a wealthy opponent." In long advance of a modern agitation for reform which, lately beginning with us, will, it is to be hoped, not cease until the abuses are removed, he proposed a law imposing "severe and enforcible penalties upon the advance of money by individuals for any purposes connected with the election except the single one of printing."

Turning to the field of general politics, he again declared the political faith to whose support he wished to rally his party. That "a jealousy of the exercise of delegated political power, a solicitude to keep public agents within the precise limits of their authority, and an assiduous adherence to a rigid and scrupulous economy, were indications of a contracted spirit unbecoming the character of a statesman," he pronounced to be a political heresy, from which he himself had not been entirely free, but which ought at once to be exploded. Official discretion, as a general rule, could not be confided to any one without danger of abuse. But he reproved the parsimony which disagreeably characterized the democracy of the time, and which inadequately paid great public servants like the chancellor and judges. In the tendency of the federal government to encroach upon the States lay, he thought, the danger of the federal Constitution. But of the disposition and capacity of the American people to resist such encroachments as our political history recorded, there were, he said, without naming either Adams, "two prominent and illustrious instances." As long as that good spirit was preserved, the republic would be safe; and for that preservation every patriot ought to pray.

The reputation of the country had in some degree suffered, he said, from "the uncharitable and unrelenting scrutiny to which private as well as public character" had been subjected in the late election. But this injury had been "relieved, if not removed, by seeing how soon the overflowing waters of bitterness" had spent themselves, and "that already the current of public feeling had resumed its accustomed channels." These excesses were the price paid for the full enjoyment of the right of opinion. With an assertion of "perfect deference to that sacred privilege, and in the humble exercise of that portion of it" which belonged to him, and of a sincere desire not to offend the feelings of those who differed from him, he ended his message by congratulating the legislature upon the election of Jackson and Calhoun. This result, he said in words not altogether insincere or untrue, but full of the unfairness of partisan dispute, infused fresh vigor into the American political system, refuted the odious imputation that republics are ungrateful, dissipated the vain hope that our citizens could be influenced by aught save appeals to their understanding and love of country, and finally exhibited in "bold relief the omnipotence of public opinion, and the futility of all attempts to overawe it by the denunciation of power, or to reduce it by the allurements of patronage."

Among the Hoyt letters, afterwards published by Van Buren's rancorous enemy, Mackenzie, are two letters of his upon his patronage as governor. It is not unfair to suppose that he wrote many other letters like them, and they give a useful glimpse of the distribution of offices at Albany sixty years ago. These letters to Hoyt were of the most confidential character, and showed a strong but not uncontrolled desire to please party friends and to meet party expectations. But in none of them is there a suggestion of anything dishonorable. He asked, "When will the Republican party be made sensible of the indispensable necessity of nominating none but true and tried men, so that when they succeed they gain something?" He was unable to oblige his "good friend Coddington . . . in relation to the health appointments." Dr. Westervelt's claims were "decidedly the strongest; and much was due to the relations in which he stood to Governor Tompkins, especially from one who knew so well what the latter has done and suffered for this State." He wrote of Marcy, whom he appointed a judge of the supreme court, that he "was so situated that I must make him a judge or ruin him." All this is doubtless not unlike what the best of public officers have sometimes said and thought, though rarely written; and, like most talk over patronage, it is not in very exalted tone. But if Van Buren admitted as one of Westervelt's claims to public office that he was of a Whig family and a Democrat "from his cradle," he found among his other claims that he was "a gentleman and a man of talent," and had been "three years in the hospital and five years deputy health officer, until he was cruelly removed." Dr. Manley he refused to remove from the health office, because "his extraordinary capacity is universally admitted;" and pointed out that the removal "could only be placed on political grounds, and as he was a zealous Jackson man at the last election, that could not have been done without danger." "I should not," he said, however, "have given Manley the office originally, if I could have found a competent Republican to take it." William L. Marcy, whom he made judge, was already known as one of the ablest men in the State, and his appointment was admirable, though his salvation from ruin, if Van Buren was speaking seriously, was not a public end fit to be served by high judicial appointment. John C. Spencer, one of the best lawyers of New York, was appointed by Van Buren special counsel for the prosecution of Morgan's murderers. Hammond wondered "how so rigid a party man as Mr. Van Buren was, came to appoint a political opponent to so important an office," but concluded that it was a fine specimen of his peculiar tact, because Spencer, though a man of talents and great moral courage, might be defeated in the prosecution, and thus be injured with the anti-Masons; while if he succeeded, his vigor and fidelity would draw upon him Masonic hostility. But the simpler explanation is the more probable. Van Buren desired to adhere in this, as he did in most of his appointments, to a high standard. Upon this particular appointment his own motives might be distrusted; and he therefore went to the ranks of his adversaries for one of their most distinguished and invulnerable leaders. Van Buren was long condemned as a "spoils" politician; but he was not accused of appointing either incompetent or dishonest men to office. In the great place of governor he must have already begun to see how difficult and dangerous was this power of patronage. It must be fairly admitted that he pretty carefully limited, by the integrity and efficiency of the public service, the political use which he made of his appointments, — a use made in varying degrees by every American holding important executive power from the first Adams to our own time.

On March 12, 1829, Governor Van Buren resigned his office with the hearty and unanimous approval of his party friends, whom he gathered together on receiving Jackson's invitation to Washington. He was in their hands, he said, and should abide by their decision. Both houses of the legislature passed congratulatory and even affectionate resolutions; and his brief and brilliant career in the executive chamber of the State ended happily, as does any career which ends that a seemingly greater one may begin.

CHAPTER VI

SECRETARY OF STATE. — DEFINITE FORMATION OF THE DEMOCRATIC CREED

Van Buren was appointed secretary of state on March 5, 1829; but did not reach Washington until the 22d, and did not act as secretary until April 4. James A. Hamilton, a son of Alexander Hamilton, but then an influential Jackson man, was acting secretary in the meantime. The two years of Van Buren's administration of this office are perhaps the most picturesque years of American political history. The Eaton scandal; the downfall of Calhoun's political power; the magical success of Van Buren; the "kitchen cabinet;" the odious removals from office, and the outcries of the removed; the fiery passion of Jackson; the horror both real and affected of the opposition, — all these have been an inexhaustible quarry to historical writers. Until very recently the larger use has been made of the material derived from hostile sources: and it has seemed easy to paint pictures of this really important time in the crudest and highest colors of dislike. The American democracy, at last let loose, driven by Jackson with a sort of demoniac energy and cunningly used by Van Buren for his own selfish and even Mephistophelian ends, is supposed to have broken from every sound and conservative principle. Perhaps for no other period in our history has irresponsible and unverified campaign literature of the time so largely become authority to serious writers; and for no other period does truth more strongly require a judgment upon well established results rather than upon partisan rumor and gossip. During these years there was definitely and practically formed, under the auspices of Jackson's administration, a political creed, a body of principles or tendencies in politics which have ever since strongly held the American people. Some of them have become established by a universal acquiescence. During the same years there began an extension into federal politics of the "spoils system," which has been an evil second only to slavery, and from which we are only now recovering. To Van Buren more than to any man of his time must be awarded the credit of forming the creed of the Jacksonian Democracy. And in the shame of the abuse, which has so greatly tended to neutralize the soundest articles of political faith, Van Buren must participate with other and inferior men of his own time, and with the very greatest of the men who followed him. In this narrative it is impossible to ignore some of the petty and undignified details which characterized the time, — details from part of the discredit of which Van Buren cannot escape. But it would lead to gross error to let such details obscure the vital and lasting political work of the highest order in which Van Buren was a central and controlling power.

Besides Van Buren, Jackson's cabinet included Ingham of Pennsylvania in the Treasury, Eaton in the War Department, Branch in the Navy, Berrien of Georgia attorney-general, and Barry of Kentucky in the Post-Office, succeeding McLean, who after a short service was appointed to the Supreme Court. Eaton, Branch, and Berrien had been federal senators, the first chiefly commended by Jackson's strong personal liking for him. Ingham, Branch, and Berrien represented, or were supposed to represent, the Calhoun influence. Van Buren in ability and reputation easily stood head and shoulders above his associates. When he left Albany for Washington he was believed to have done more than any one else to secure the Republican triumph; and if Webster's recollections twenty years later were correct, he did more to prevent "Mr. Adams's reëlection in 1828, and to obtain General Jackson's election, than any other man — yes, than any ten other men — in the country." He was the first politician in the party; Calhoun and he were its most distinguished statesmen. Already the succession after Jackson belonged to one of them, the only doubt being to which; and in that doubt was stored up a long and complicated feud. The rivalry between these two great men was inevitable; it was not dishonorable to either. Calhoun's fame was the older; he was already one of the junior candidates for the presidency, popular in Pennsylvania and even in New England, when Van Buren was hardly known out of New York. In 1829 he had been chosen vice-president for the second time. He had shown talents of a very high order. But he had now suffered some years from the presidential fever which distorts the vision, and which, when popularity wanes, becomes heavy with enervating melancholy. He was an able doctrinaire, but narrow and dogmatic. The jealous and ravenous temper of the rich slaveholders of South Carolina already possessed him. He was a Southern man; and all the presidents thus far, except the elder and younger Adams, had been Southerners. In 1824 he had stood indifferent between Jackson and Adams, and in Jackson's final triumph had borne no decisive part. Van Buren's wider, richer, and more constructive mind, his superior political judgment, his mellower personality, his practical skill in affairs, sufficiently explain his victory over Calhoun, without resort to the bitter rumors of tricks and magical manœuvres spread by Calhoun's and Clay's friends, and which, though without authentic corroboration, have to our own day been widely accepted.

Before Jackson's inauguration, Calhoun sought to prevent Van Buren's selection for the State Department. He told the general that Tazewell of Virginia ought to be appointed. New York, he said, would have been secured by Clinton if he had lived; but now New York needed no appointment. Jackson listened coldly to the plainly jealous appeal; and James A. Hamilton, who was at the time on intimate terms with Jackson, supposed it to be Calhoun's last interview with Jackson about the cabinet. Van Buren had been Jackson's choice a year ago; and to all the reasons which had then existed were now added his great services in the canvass, and the prestige of his popular election as governor.

The episode of Mrs. Eaton, the wife of the new secretary of war, was absurd enough in a constitutionally governed country; but this silly "court scandal," which might very well have enlivened the pages of a secretary of a privy council or an ambassador from a petty German prince, did no more than hasten the inevitable division. In the hastening, however, Van Buren doubtless reaped some profit in Jackson's greater friendship. Many respectable people in Washington believed that unchastity on the part of this lady had induced her former husband, Timberlake, to cut his throat. Her second marriage to Eaton had just taken place in January, 1829, after Jackson, learning of the scandal but disbelieving it, had said to Eaton, "Your marrying her will disprove these charges, and restore Peg's good name." The general treated with violent contempt the persons, some of them clergymen, "whose morbid appetite," he wrote the Rev. Dr. Ely on March 23, 1829, "delights in defamation and slander." Burning with anger at those who had dared in the recent canvass to malign his own wife now dead, he defended with chivalrous resolution the lady whom his own wife "to the last moment of her life believed . . . to be an innocent and much-injured woman." Even Mrs. Madison, he said, "was assailed by these fiends in human shape." When protests were made against Eaton's appointment to the cabinet, Jackson savagely cried, "I will sink or swim with him, by God!" All this had happened before Van Buren reached Washington. There then followed the grave question, whether Mrs. Eaton should be adjudged guilty by society and sentenced to exclusion from its ceremonious enjoyments. The ladies generally were determined against her, even the ladies of Jackson's own household. Jackson proposed the task, impossible even to an emperor, of compelling recognition of this distressed and persecuted consort of a minister of state. The unfortunate married men in the cabinet were in embarrassment indeed. They would not if they could, so they said, — or at least they could not if they would, — induce their wives to visit or receive visits from the wife of their colleague. Jackson showed them very clearly that no other course would satisfy him. Calhoun in his matrimonial state was at the same disadvantage. Even foreign ministers and their wives met the President's displeasure for not properly treating the wife of the American secretary of war.

When Van Buren entered this farcical scene, his widowed condition, and the fortune of having sons rather than daughters, left him quite unembarrassed. He politely called upon his associate's wife, as he called upon the others; he treated her with entire deference of manner. It is probable, though by no means clear, for popular feeling was supposed to run high in sacred defense of the American home, that this was the more politic course. It is now, however, certain that by doing so he gave to Jackson, and some who were personally very close to Jackson, more gratification than he gave offense elsewhere; and this has been the occasion of much aspersion of Van Buren's motives. But whether his course were politic or not, it is easy enough to see that any other course would have been inexcusable. It would have been dastardly in the extreme for Van Buren, reaching Washington and finding a controversy raging whether or not the wife of one of his associates were virtuous, to pronounce her guilty, as he most unmistakably would have done had he refused her the attention which etiquette required him to pay all ladies in her position. Parton in his Life of Jackson quotes from an anonymous Washington correspondent, whose account he says was "exaggerated and prejudiced but not wholly incorrect," the story that Van Buren induced the British and Russian ministers, both of whom to their immediate peace of mind happened to be bachelors, to treat Mrs. Eaton with distinction at their entertainments. But the supposition seems quite gratuitous. Neither of those unmarried diplomats was likely to do so absurdly indefensible a thing as to insult by marked exclusion a cabinet minister's wife, whom the President for any reason, good or bad, treated with special distinction and respect. Van Buren's common sense was a strong characteristic; and he doubtless looked upon the whole affair with amused contempt. As the cabinet officer who had most to do with social ceremonies, he may well have sought to calm the irritation and establish for Mrs. Eaton, where he could, the usual forms of civility. Like many other blessings of etiquette, these forms permit one to hold unoffending neutrality upon the moral deserts of persons whom he meets. It happened that Calhoun's friends had tried to prevent Eaton's appointment to the War Department, and afterwards sought to remove him from the cabinet. The episode added, therefore, keen edge to the growing hostility of Jackson and his near friends to Calhoun, and thus tended to strengthen his rival. But all this would have signified little but for something deeper and broader. The preference of Van Buren had been dictated by powerful causes long before Mrs. Timberlake became Mrs. Eaton. These causes now grew more and more powerful.

Calhoun was serving his second term as Vice-President. A third term for that office was obnoxious to the rule already established for the presidency. Calhoun therefore desired Jackson to be content with one term; for if he took a second, Calhoun feared, and with good reason, that he himself, being then out of the vice-presidency, and so no longer in sight on that conspicuous seat of preparation, might fall dangerously out of mind. So it was soon known that Calhoun's friends were opposed to a second term for Jackson. At a Pennsylvania meeting on March 31, 1830, the opposition was openly made. Before this, and quite apart from Jackson's natural hostility to the nullification theory which had arisen in Calhoun's State, he had conceived a strong dislike for Calhoun for a personal reason. With this Van Buren had nothing whatever to do, so far as appears from any evidence better than the uncorroborated rumors which ascribe to Van Buren's magic every incident which injured Calhoun's standing with Jackson. Years before, Monroe's cabinet had discussed the treatment due Jackson for his extreme measures in the Seminole war. Calhoun, then secretary of war, had favored a military trial of the victorious general; but John Quincy Adams and Monroe had defended him, as did also Crawford, the secretary of the treasury. For a long while Jackson had erroneously supposed that Calhoun was the only member of the cabinet in his favor; and Calhoun had not undeceived him. Some time before Jackson's election, Hamilton had visited Crawford to promote the desired reconciliation between him and the general; and a letter was written by Governor Forsyth of Georgia to Hamilton, quoting Crawford's explanation of the real transactions in Monroe's cabinet. Jackson was ignorant of all this until a dinner given by him in honor of Monroe in November, 1829. Ringold, a personal friend of Monroe's, in a complimentary speech at seeing Jackson and Monroe seated together, said to William B. Lewis that Monroe had been "the only one of his cabinet" friendly to Jackson in the Seminole controversy; and after dinner the remark, after being discussed between Lewis and Eaton the secretary of war, was repeated by the latter to Jackson, who said he must be mistaken. Lewis then told Jackson of Forsyth's letter, which greatly excited him, already disliking Calhoun as he did, and not unnaturally susceptible about his reputation in a war which had been the subject of violent and even savage attacks upon him in the recent canvass. Jackson sent at once to New York for the letter. But Hamilton was unwilling to give it without Forsyth's permission; and when Forsyth, on the assembling of Congress, was consulted, he preferred that Crawford should be directly asked for the information. This was done, and Crawford wrote an account which in May, 1830, Jackson sent to Calhoun with a demand for an explanation. Calhoun admitted that he had, after hearing of the seizure of the Spanish forts in Florida and Jackson's execution of the Englishmen Arbuthnot and Ambrister, expressed an opinion against him, and proposed an investigation of his conduct by a court of inquiry. He further told Jackson, with much dignity of manner, that the latter was being used in a plot to effect Calhoun's political extinction and the exaltation of his enemies. The President received Calhoun's letter on his way to church, and upon his return from religious meditation wrote to the Vice-President that "motives are to be inferred from actions and judged by our God;" that he had long repelled the insinuations that it was Calhoun, and not Crawford, who had secretly endeavored to destroy his reputation; that he had never expected to say to Calhoun, "*Et tu, Brute!*" and that there need be no further communication on the subject. Thus was finally established the breach between Calhoun and Jackson, which this personal matter had widened but had by no means begun. In none of it did Van Buren have any part. When Jackson sent Lewis to him with Calhoun's letter and asked his opinion, he refused to read it, saying that an attempt would undoubtedly be made to hold him responsible for the rupture, and he wished to be able to say that he knew nothing of it. This course was doubtless politic, and deserves no applause; but it was also simply right. On getting this message Jackson said, "I reckon Van is right; I dare say they will attempt to throw the whole blame on him."

A few weeks before, on April 13, 1830, the dinner to celebrate Jefferson's birthday was held at Washington. It was attended by the President and Vice-President, the cabinet officers, and many other distinguished persons. There were reports at the time that it was intended to use Jefferson's name in support of the state-rights doctrines, and against internal improvements and a protective tariff. This shows how clearly were already recognized some of the great causes underlying the political movements and personal differences of the time. The splendid parliamentary encounter between Hayne and Webster had taken place but two or three months before. In his speech Hayne, who was understood, as Benton tells us, to give voice to the sentiments of Calhoun, had plainly enough stated the doctrine of nullification. Jackson at the dinner robustly confronted the extremists with his famous toast, "Our federal Union: it must be preserved." Calhoun, already conscious of his leadership in a sectional controversy, followed with the sentiment, true indeed, but said in words very sinister at that time: "The Union: next to our liberty the most dear. May we all remember that it can only be preserved by respecting the rights of the States, and distributing equally the benefit and burden of the Union." The secretary of state next rose with a toast with little ring or inspiration in it, but plainly, though in conciliatory phrase, declaring for the Union. He asked the company to drink, "Mutual forbearance and reciprocal concessions: through their agency the Union was established. The patriotic spirit from which they emanated will forever sustain it."

Van Buren was now definitely a candidate for the succession. His Northern birth and residence, his able leadership in Congress of the opposition to the Adams administration, his almost supreme political power in the first State of the Union, his clear and systematic exposition of an intelligible and timely political creed, the support his friends gave to Jackson's reëlection, — all these advantages were now reënforced by the tendency to disunion clear in the utterances from South Carolina, by Calhoun's efforts to exclude Van Buren and Eaton from the cabinet, by the hostility to Mrs. Eaton of the ladies in the households of Calhoun and of his friends in the cabinet, and now by Jackson's discovery that, at a critical moment of his career ten years before, Calhoun had sought his destruction. Here was a singular union of really sound reasons why Van Buren should be preferred by his party and by the country for the succession over Calhoun, with the strongest reasons why Jackson, and those close to him, should be in most eager personal sympathy with the preference. In December, 1829, Jackson had explicitly pronounced in favor of Van Buren. This was in the letter to Judge Overton of Tennessee, which Lewis is doubtless correct in saying he asked Jackson to write lest the latter should die before his successor was chosen. Jackson himself drafted the letter, which Lewis copied with some verbal alteration; and the letter sincerely expressed his own strong opinions After alluding to the harmony between Van Buren and his associates in the War and Post-Office Departments, he said: "I have found him everything that I could desire him to be, and believe him not only deserving my confidence, but the confidence of the nation. Instead of his being selfish and intriguing, as has been represented by some of his opponents, I have ever found him frank, open, candid, and manly. As a counselor, he is able and prudent, republican in his principles, and one of the most pleasant men to do business with I ever knew. He, my dear friend, is well qualified to fill the highest office in the gift of the people, who in him will find a true friend and safe depositary of their rights and liberty. I wish I could say as much for Mr. Calhoun and some of his friends." He criticised Calhoun for his silence on the bank question, for his encouragement of the resolution in the South Carolina legislature relative to the tariff, and for his objection to the apportionment of the surplus revenues after the national debt should be paid. Jackson had not yet definitely learned from Forsyth's letter about Calhoun's attitude in Monroe's cabinet; but his well-aroused suspicion doubtless influenced his expression. His strong personal liking for the secretary of state had been evident from the beginning of the administration. In a letter to Jesse Hoyt of April 13, 1829, the latter wrote that he had found the President affectionate, confidential, and kind to the last degree, and that he believed there was no degree of good feeling or confidence which the president did not entertain for him. In July he wrote to Hamilton: "The general grows upon me every day. I can fairly say that I have become quite enamored with him."

The break between Calhoun and Jackson was kept from the public until early in 1831. In the preceding winter, Duff Green, the editor of the "Telegraph," until then the administration newspaper, but still entirely committed to Calhoun, sought to have the publication of the Calhoun-Jackson correspondence accompanied by a general outburst from Republican newspapers against Jackson. The storm, Benton tells us, was to seem so universal, and the indignation against Van Buren so great, that even Jackson's popularity would not save the prime minister. Jackson's friends, Barry and Kendall, learning of this, called to Washington an unknown Kentuckian to be editor of a new and loyal administration paper. Francis P. Blair was a singularly astute man, whose name, and the name of whose family, afterwards became famous in American politics. He belonged to the race of advisers of great men, found by experience to be almost as important in a democracy as in a monarchy. In February, 1831, Calhoun openly declared war on Jackson by publishing the Seminole correspondence. Green having now been safely reëlected printer to Congress, the "Telegraph," according to the plan, strongly supported Calhoun. The "Globe," Blair's paper, attacked Calhoun and upheld the President. The importance in that day ascribed by politicians to the control of a single newspaper seems curious. In 1823, Van Buren, while a federal senator, was interested in the "Albany Argus," almost steadily from that time until the present the ably managed organ of the Albany Regency;[1] and he then confidentially wrote to Hoyt: "Without a paper thus edited at Albany we may hang our harps on the willows. With it, the party can survive a thousand such convulsions as those which now agitate and probably alarm most of those around you." This seems an astonishingly high estimate of the power of a paper which, though relatively conspicuous in the State, could have then had but a small circulation. It was, however, the judgment of a most sagacious politician. In 1822 he complained to Hoyt that his expenses of this description were too heavy. In 1833 James Gordon Bennett, then a young journalist of Philadelphia, wrote Hoyt a plain intimation that money was necessary to enable him to continue his journalistic warfare in Van Buren's behalf. Anguish, disappointment, despair, he said, brooded over him, while Van Buren chose to sit still and sacrifice those who had supported him in every weather. Van Buren replied that he could not directly or indirectly afford pecuniary aid to Bennett's press, and more particularly as he was then situated; that if Bennett could not continue friendly to him on public grounds and with perfect independence, he could only regret it, but he desired no other support. He added, however, not to burn his ships behind him, that he had supposed there would be no difficulty in obtaining money in New York, if their "friends in Philadelphia could not all together make out to sustain one press." Thus was invited a powerful animosity, vindictively shown even when Van Buren was within three years of his death.

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[1] This was written in 1887. The Albany Regency, after a life of sixty years, ended with the death of Daniel Manning, in Mr. Cleveland's first presidency, and with it ended the characteristic influence of its organ. The Democratic management at Albany has since proceeded upon very different lines and has engaged the ability of very different men.

Soon after his arrival Blair entered the famous Kitchen Cabinet, a singularly talented body, fond enough indeed of "wire-pulling," but with clear and steady political convictions. William B. Lewis had long been a close personal friend of Jackson and manager of his political interests, and had but recently earned his gratitude by rushing successfully to the defense of Mrs. Jackson's reputation. Kendall and Hill were adroit, industrious, skillful men; the former afterwards postmaster-general, and the latter to become a senator from New Hampshire. Blair entered this company full of zeal against nullification and the United States Bank. Jackson himself was so strong-willed a man, so shrewd in management, so skillful in reading the public temper, that the story of the complete domination of this junto over him is quite absurd. The really great abilities of these men and their entire devotion to his interests gained a profound and justifiable influence with him, which occasional petty or unworthy uses made of it did not destroy. No one can doubt that Jackson was confirmed by them in the judgment to which Van Buren urged him upon great political issues. The secretary of state refused to give the new paper of Blair any of the printing of his department, lest its origin should be attributed to him, and because he wished to be able to say truly that he had nothing to do with it. Kendall, who lived through the civil war, strongly loyal to the Union and to Jackson's memory, to die a wealthy philanthropist, declared in his autobiography, and doubtless correctly, that the "Globe" was not established by Van Buren or his friends, but by friends of Jackson who desired his reëlection for another four years. Nevertheless Van Buren was held responsible for the paper; and its establishment was soon followed by the dissolution of the cabinet.

This explosion, it is now clear, was of vast advantage to the cause of the Union. It took place in April, 1831, and in part at least was Van Buren's work. On the 9th of that month he wrote to Edward Livingston, then a senator from Louisiana spending the summer at his seat on the Hudson River, asking him to start for Washington the day after he received the letter, and to avoid speculation "by giving out that" he was "going to Philadelphia." Livingston wrote back from Washington to his wife that Van Buren had taken the high and popular ground that, as a candidate for the presidency, he ought not to remain in the cabinet when its public measures would be attributed to his intrigue, and thus made to injure the President; and that Van Buren's place was pressed upon him "with all the warmth of friendship and every appeal to my love of country."

Van Buren, with courageous skill, put his resignation to the public distinctly on the ground of his own political aspiration. On April 11, 1831, he wrote to the President a letter for publication, saying that from the moment he had entered the cabinet it had been his "anxious wish and zealous endeavor to prevent a premature agitation of the question" of the succession, "and at all events to discountenance, and if possible repress, the disposition, at an early day manifested," to connect his name "with that disturbing topic." Of "the sincerity and constancy of his disposition" he appealed to the President to judge. But he had not succeeded, and circumstances beyond his control had given the subject a turn which could not then "be remedied except by a self-disfranchisement, which, even if dictated by" his "individual wishes, could hardly be reconcilable with propriety or self-respect." In the situation existing at the time, "diversities of ulterior preference among the friends of the administration" were unavoidable, and he added: "Even if the respective advocates of those thus placed in rivalship be patriotic enough to resist the temptation of creating obstacles to the advancement of him to whose elevation they are opposed, by embarrassing the branch of public service committed to his charge, they are nevertheless, by their position, exposed to the suspicion of entertaining and encouraging such views, — a suspicion which can seldom fail, in the end, to aggravate into present alienation and hostility the prospective differences which first gave rise to it." The public service, he said, required him to remove such "obstructions" from "the successful prosecution of public affairs;" and he intimated, with the affectation of self-depreciation which was disagreeably fashionable among great men of the day, that the example he set would, "notwithstanding the humility of its origin," be found worthy of respect and observance. When four years later he accepted the presidential nomination he repeated the sentiment of this letter, but more explicitly, saying that his "name was first associated with the question of General Jackson's successor more through the ill-will of opponents than the partiality of friends." This seemed very true. For every movement which had tended to commit the administration or its chief against Calhoun or his doctrines, he had been held responsible as a device to advance himself. His adversaries had proclaimed him not so much a public officer as a self-seeking candidate. It was a rare and true stroke of political genius to admit his aspiration to the presidency; to deny his present candidacy and his self-seeking; but, lest the clamor of his enemies should, if he longer held his office, throw doubt upon his sincerity, to withdraw from that station, and to prevent the continued pretense that he was using official opportunities, however legitimately, to increase his public reputation or his political power. Thus would the candidacy be thrust on him by his enemies. In his letter he announced that Jackson had consented to stand for reëlection; and that, "without a total disregard of the lights of experience," he could not shut his eyes to the unfavorable influence which his continuance in the cabinet might have upon Jackson's own canvass in 1832.

In accepting the resignation Jackson declared the reasons which the letter had presented too strong to be disregarded, thus practically assenting to Van Buren's candidacy to succeed him. Jackson looked with sorrow, he said, upon the state of things Van Buren had described. But it was "but an instance of one of the evils to which free governments must ever be liable," an evil whose remedy lay "in the intelligence and public spirit of" their "common constituents," who would correct it; and in that belief he found "abundant consolation." He added that, with the best opportunities for observing and judging, he had seen in Van Buren no other desire than "to move quietly on in the path of" his duties, and "to promote the harmonious conduct of public affairs." "If on this point," he apostrophized the departing premier, "you have had to encounter detraction, it is but another proof of the utter insufficiency of innocence and worth to shield from such assaults."

Never was a presidential candidate more adroitly or less dishonorably presented to his party and to the country. For the adroitness lay in the frank avowal of a willingness or desire to be president and a resolution to be a candidate, — for which, so far as their conduct went, his adversaries were really responsible, — and in seizing an undoubted opportunity to serve the public. Quite apart from the sound reason that the secretary of state should not, if possible, be exposed in dealing with public questions to aspersions upon his motives, as Van Buren was quite right in saying that he would be, it was also clear that the cabinet was inharmonious; and that its lack of harmony, whatever the facts or wherever the fault, seriously interfered with the public business. The administration and the country, it was obvious, were now approaching the question of nullification, and upon that question it was but patriotic to desire that its members should firmly share the union principles of their chief. Within a few weeks after the dissolution of the cabinet, Jackson seized the opportunity afforded him by an invitation from the city of Charleston to visit it on the 4th of July, to sound in the ears of nullification a ringing blast for the Union. If he could go, he said, he trusted to find in South Carolina "all the men of talent, exalted patriotism, and private worth," however divided they might have been before, "united before the altar of their country on the day set apart for the solemn celebration of its independence, — independence which cannot exist without union, and with it is eternal." The disunion sentiments ascribed to distinguished citizens of the State were, he hoped, if indeed they were accurately reported, "the effect of momentary excitement, not deliberate design." For all the work then performed in defense of the Union, Jackson and his advisers of the time must share with Webster and Clay the gratitude of our own and all later generations. The burst of loyalty in April, 1861, had no less of its genesis in the intrepid front and the political success of the national administration from 1831 to 1833, than in the pathetic and glorious appeals and aspirations of the great orators.

Jackson now called to the work Edward Livingston, privileged to perform in it that service of his which deserves a splendid immortality. He became secretary of state on May 24, 1831. Eaton, the secretary of war, voluntarily resigned to become governor of Florida; and Barry, the postmaster-general, who was friendly to the reorganization, was soon appointed minister to Spain, in which post Eaton later succeeded him. Ingham, Branch, and Berrien, the Calhoun members, were required to resign. The new cabinet, apart from the state department, was on the whole far abler than the old; indeed, it was one of the ablest of American cabinets. Below Livingston at the council table sat McLane of Delaware, recalled from the British mission to take the treasury, Governor Cass of Michigan, and Senator Woodbury of New Hampshire, secretaries of war and navy. Amos Kendall brought to the post-office his extraordinary astuteness and diligence in administration; and Taney, later the chief justice, was attorney-general. The executive talents of this body of men, loyal as they were to the plans of Jackson and Van Buren, promised, and they afterwards brought, success in the struggle for the principles now adopted by the party, as well as for the control of the government. Van Buren stood as truly for a policy of state as ever stood any candidate before the American people. One finds it agreeable now to escape for a moment from the Washington atmosphere of personal controversy and ambition. It is not to be forgotten, however, that a like atmosphere has surrounded even those political struggles in America, only three or four in number, which have been greater and deeper than that in which Jackson and Van Buren were the chief figures. From this temper of personal controversy and ambition the greatest political benefactors of history have not been free, so inevitable is the mingling with large affairs of the varied personal motives, conscious and unconscious, of those who transact them.

When Van Buren left the first place in Jackson's cabinet, the latter, too, at last stood for the definite policy which he had but imperfectly adopted when he was elected, and which, as a practical and immediate political plan, it is reasonably safe to assert, was most largely the creation of the sagacious mind of his chief associate. Before Van Buren left Albany he had written to Hamilton on February 21, 1829, with reference to Jackson's inaugural: "I hope the general will not find it necessary to avow any opinion upon constitutional questions at war with the doctrines of the Jefferson school. Whatever his views may be, there can be no necessity of doing so in an inaugural address." This shows the doubt, which had been caused by some of Jackson's utterances and votes, of his intelligent and systematic adherence to the political creed preached by Van Buren. Jackson's inaugural was colorless and safe enough. Upon strict construction he said that he should "keep steadily in view the limitations as well as the extent of the executive power;" that he would be "animated by a proper respect for those sovereign members of our Union, taking care not to confound the powers they have reserved to themselves with those they have granted to the confederacy." The bank he did not mention. And upon the living and really great question, to which Van Buren had given so much study, Jackson said, himself probably having a grim sense of humor at the absurd emptiness of the sentence: "Internal improvement and the diffusion of knowledge, so far as they can be promoted by the constitutional acts of the federal government, are of high importance."

Very different was the situation when two years later Van Buren left the cabinet. In several state papers of great dignity and ability and yet popular and interesting in style, Jackson had formulated a political creed closely consistent with that advocated by Van Buren in the Senate. Upon internal improvements, Jackson, on May 27, 1830, sent to the House his famous Maysville Road veto. That road was exclusively within the State of Ohio, and not connected with any existing system of improvements. Jackson very well said that if it could be considered national, no further distinction between the appropriate duties of the general and state governments need be attempted. He pointed out the tendency of such appropriations, little by little, to distort the meaning of the Constitution; and found in former legislation "an admonitory proof of the force of implication, and that necessity of guarding the Constitution with sleepless vigilance against the authority of precedents which have not the sanction of its most plainly defined powers." In his annual message of December, 1830, he referred to the system of federal subscriptions to private corporate enterprises, saying: "The power which the general government would acquire within the several States by becoming the principal stockholder in corporations, controlling every canal and each sixty or hundred miles of every important road, and giving a proportionate vote to all their elections, is almost inconceivable, and in my view dangerous to the liberties of the people." With these utterances ended the very critical struggle to give the federal government a power which even in those days would have been great, and which, as has already been said, had it continued with the growth of railways, would have enormously and radically changed our system of government.

Before he left the Senate Van Buren had pronounced against the Bank of the United States; but Jackson did not mention it in his inaugural. In his first annual message, however, Jackson warned Congress that the charter of the bank would expire in 1836, and that deliberation upon its renewal ought to commence at once. "Both the constitutionality and the expediency of the law creating this bank," he said, "are well questioned . . .; and it must be admitted by all that it has failed in the great end of establishing a uniform and sound currency." This was plain enough for a first utterance. A year later he told Congress that nothing had occurred to lessen in any degree the dangers which many citizens apprehended from that institution as then organized, though he outlined an institution which should be not a corporation, but a branch of the Treasury Department, and not, as he thought, obnoxious to constitutional objections.

The removal of the Cherokee Indians from within the State of Georgia he defended by considerations which were practically unanswerable. It was dangerously inconsistent with our political system to maintain within the limits of a State Indian tribes, free from the obligations of state laws, having a tribal independence, and bound only by treaty relations with the United States. It was harsh to remove the Indians; but it would have been harsher to them and to the white people of the State to have supported by federal arms an Indian sovereignty within its limits. Jackson, with true Democratic jealousy, refused in his political and executive policy to defer to the merely moral weight of the opinion of the Supreme Court. For in that tribunal political and social exigencies could have but limited force in answering a question which, as the court itself decided, called for a political remedy, which the President and not the court could apply.

The tariff might, Jackson declared, be constitutionally used for protective purposes; but the deliberate policy of his party was now plainly intimated. In his first message he "regretted that the complicated restrictions which now embarrass the intercourse of nations could not by common consent be abolished." In the Maysville veto he said that, "as long as the encouragement of domestic manufactures" was "directed to national ends," . . . it should receive from him "a temperate but steady support." But this is to be read with the expression in the same paper that the people had a right to demand "the reduction of every tax to as low a point as the wise observance of the necessity to protect that portion of our manufactures and labor, whose prosperity is essential to our national safety and independence, will allow." This encouragement was, he said in his inaugural, to be given to those products which might be found "essential to our national independence." In his second message he declared "the obligations upon all the trustees of political power to exempt those for whom they act from all unnecessary burdens;" that "the resources of the nation beyond those required for the immediate and necessary purposes of government can nowhere be so well deposited as in the pockets of the people;" that "objects of national importance alone ought to be protected;" and that "of those the productions of our soil, our mines, and our workshops, essential to national defense, occupy the first rank." Other domestic industries, having a national importance, and which might, after temporary protection, compete with foreign labor on equal terms, merited, he said, the same attention in a subordinate degree. The economic light here was not very clear or strong, but perhaps as strong as it often is in a political paper. Jackson's conclusion was that the tariff then existing taxed some of the comforts of life too highly; protected interests too local and minute to justify a general exaction; and forced some manufactures for which the country was not ripe.

All this practical and striking growth in political science had taken place during the two years of Jackson's and Van Buren's almost daily intercourse at Washington. It is impossible from materials yet made public to point out with precision the latter's handiwork in each of these papers. James A. Hamilton describes his own long nights at the White House on the messages of 1829 and 1830; and his were not the only nights of the kind spent by Jackson's friends. Jackson, like other strong men, and like some whose opportunities of education had been far ampler than his, freely used literary assistance, although, with all his inaccuracies, he himself wrote in a vigorous, lucid, and interesting style. But with little doubt the political positions taken in these papers, and which made a definite and lasting creed, were more immediately the work of the secretary of state. The consultations with Van Buren, of which Hamilton tells, are only glimpses of what must continually have gone on. At the time of Jackson's inauguration Hamilton wrote that the latter's confidence was reposed in men in no way equal to him in natural parts, but who had been useful to him in covering "his very lamentable defects of education," and whom, through his reluctance to expose these defects to others, he was compelled to keep about him. He added that Van Buren could never reach the same relation which Lewis held with the general, because the latter would "not yield himself so readily to superior as to inferior minds." This was a mistake. Van Buren's personal loyalty to Jackson, his remarkable tact and delicacy, had promptly aroused in Jackson that extraordinary liking for him which lasted until Jackson died. With this advantage, Van Buren's clear-cut theories of political conduct were easily lodged in Jackson's naturally wise mind, to whose prepossessions and prejudices they were agreeable, and received there the deference due to the practical sagacity in which Van Buren's obvious political success had proved him to be a master. Van Buren was doubtless greatly aided by the kitchen cabinet. He was careful to keep on good terms with those who had so familiar an access to Jackson. Kendall's singular and useful ability he soon discovered. It was at the latter's instance that Kendall was invited to dinner at the White House, where Van Buren paid him special attention. The influence of the members of the kitchen cabinet with their master has been much exaggerated. Soon after Lewis was appointed, and in spite of his personal intimacy and of his rumored influence with the President, he was, as he wrote to Hamilton, in some anxiety whether he might not be removed; the President had at least, he said, entertained a proposition to remove him, and was therefore, in view of Jackson's great debt to him, no longer entitled to his "friendship or future support."

Very soon after Van Buren's withdrawal from the cabinet, he was accused of primarily and chiefly causing the official proscription of men for political opinions which began in the federal service under Jackson. From that time to the present the accusation has been carelessly repeated from one writer to another, with little original examination of the facts. It is clear that Van Buren neither began nor caused this demoralizing and disastrous abuse. When he reached Washington in 1829, the removals were in full and lamentable progress. In the very first days of the administration, McLean was removed from the office of postmaster-general to a seat in the Supreme Court, because, so Adams after an interview with him wrote in his diary on March 14, 1829, "he refused to be made the instrument of the sweeping proscription of postmasters which is to be one of the samples of the promised reform." This was a week or two before Van Buren reached Washington. On the same day Samuel Swartwout wrote to Hoyt from Washington: "No damned rascal who made use of his office or its profits for the purpose of keeping Mr. Adams in, and General Jackson out of power, is entitled to the least lenity or mercy, save that of hanging. . . . Whether or not I shall get anything in the general scramble for plunder remains to be proven; but I rather guess I shall. . . . I know Mr. Ingham slightly, and would recommend you to push like a devil, if you expect anything from that quarter. . . . If I can only keep my own legs, I shall do well; but I'm darned if I can carry any weight with me." This man, against Van Buren's earnest protest and to his great disturbance, had some of the devil's luck in pushing. He was appointed collector of customs at New York, — one of the principal financial officers in the country. It is not altogether unsatisfactory to read of the scandalous defalcation of which he was afterwards guilty, and of the serious injury it dealt his party. The temper which he exposed so ingenuously, filled Washington at the time. Nor did it come only or chiefly from one quarter of the country. Kendall, then fresh from Kentucky, who had been appointed fourth auditor, wrote to his wife, with interestingly mingled sentiments: "I turned out six clerks on Saturday. Several of them have families and are poor. It was the most painful thing I ever did;

but I could not well get along without it. Among them is a poor old man with a young wife and several children. I shall help to raise a contribution to get him back to Ohio. . . . I shall have a private carriage to go out with me and bring my whole brood of little ones. Bless their sweet faces."

Van Buren confidentially wrote to Hamilton from Albany in March, 1829: "If the general makes one removal at this moment he must go on. Would it not be better to get the streets of Washington clear of office-seekers first in the way I proposed? . . . As to the publication in the newspapers I have more to say. So far as depends on me, my course will be to restore by a single order every one who has been turned out by Mr. Clay for political reasons, unless circumstances of a personal character have since arisen which would make the reappointment in any case improper. To ascertain that will take a little time. There I would pause." Among the Mackenzie letters is one from Lorenzo Hoyt, describing an interview with Van Buren while governor, and then complaining that the latter would "not lend the utmost weight of his influence to displace from office such men as John Duer," Adams's appointee as United States attorney at New York. If they had been struggling for political success for the benefit of their opponents, he angrily wrote, he wished to know it. He added, however, that, from the behavior of the President thus far, he thought Jackson would "go the whole hog." This was before Van Buren reached Washington. In answer to an insolent letter of Jesse Hoyt urging a removal, and telling the secretary of state that there was a "charm attending bold measures extremely fascinating" which had given Jackson all his glory, Van Buren wrote back: "Here I am engaged in the most intricate and important affairs, which are new to me, and upon the successful conduct of which my reputation as well as the interests of the country depend, and which keep me occupied from early in the morning until late at night. And can you think it kind or just to harass me under such circumstances with letters which no man of common sensibility can read without pain? . . . I must be plain with you. . . . The terms upon which you have seen fit to place our intercourse are inadmissible." Ingham, Jackson's secretary of the treasury, the next day wrote to this typical office-seeker that the rage for office in New York was such that an enemy menacing the city with desolation would not cause more excitement. He added, speaking of his own legitimate work: "These duties cannot be postponed; and I do assure you that I am compelled daily to file away long lists of recommendations, etc., without reading them, although I work 18 hours out of the 24 with all diligence. The appointments can be postponed; other matters cannot; and it was one of the prominent errors of the late administration that they suffered many important public interests to be neglected, while they were cruising about to secure or buy up partisans. This we must not do."

Benton, friendly as he was to Jackson, condemned the system of removals; and his fairness may well be trusted. He said that in Jackson's first year (in which De Tocqueville, whom he was answering, said that Jackson had removed every removable functionary) there were removed but 690 officers through the whole United States for all causes, of whom 491 were postmasters: the entire number of postmasters being at the time nearly 8000. Kendall, reviewing the first three years of Jackson's administration near their expiration, said that in the city of Washington there had been removed but one officer out of seven, and "most of them for bad conduct and character," a statement some of the significance of which doubtless depends upon what was "bad character," but which still fairly limits the epithet "wholesale" customarily applied to these removals. In the Post-Office Department, he said, the removals had been only one out of sixteen, and in the whole government but one out of eleven. Kendall was speaking for party purposes; but he was cautious and precise; and his statements, made near the time, show how far behind the sudden "clean sweep" of 1861 was this earlier essay in "spoils," and how much exaggeration there has been on the subject. Benton says that in the departments at Washington a majority of the employees were opposed to Jackson throughout his administration. Of the officers having a judicial function, such as land and claims commissioners, territorial judges, justices in the District of Columbia, none were removed. The readiness to remove was stimulated by the discovery of the frauds of Tobias Watkins, made just after his removal from the fourth auditor's place, to which Kendall was appointed. Watkins had been Adams's warm personal friend, so the latter states in his diary, and "an over active partisan against Jackson at the last presidential election." Unreasonable as was a general inference from one of the instances of dishonesty which occur under the best administrations, and a flagrant instance of which was soon to occur under his own administration, it justified Jackson in his own eyes for many really shameful removals. There had doubtless been among office-holders under Adams a good deal of the "offensive partisanship" of our day, many expressions of horror by subordinate officers at the picture of Jackson as president. All this had angered Jackson, whose imperial temper readily classed his subordinates as servants of Andrew Jackson, rather than as ministers of the public service. Moreover, his accession, as Benton not unfairly pointed out, was the first great party change since Jefferson had succeeded the elder Adams. Offices had greatly increased in number. In the profound democratic change that had been actively operating for a quarter of a century, the force of old traditions had been broken in many useful as in many useless things. Great numbers of inferior offices had now become political, not only in New York, but in Pennsylvania, Georgia, and other States. Adams's administration, except in the change of policy upon large questions, had been a continuation of Monroe's. He went from the first place in Monroe's cabinet to the presidency. His secretaries of the treasury and the navy and his postmaster-general and attorney-general had held office under Monroe, the latter three in the very same places. But Jackson thrust out of the presidency his rival, who had naturally enough been earnestly sustained by large numbers of his subordinates; and Adams's appointees were doubtless in general followers of himself and of Clay.

Jackson's first message contained a serious defense of the removals. Men long in office, he said, acquired the "habit of looking with indifference upon the public interests," and office became considered "a species of property." "The duties of all public officers," he declared, with an ignorance then very common among Americans, could be "made so plain and simple that men of intelligence may readily qualify themselves for their performance." Further, he pointed out that no one man had "any more intrinsic right" to office than another; and therefore "no individual wrong" was done by removal. The officer removed, he concluded, with almost a demagogic touch, had the same means of earning a living as "the millions who never held office." In spite of individual distress he wished "rotation in office" to become "a leading principle in the Republican creed." Unfounded as most of this is now clearly seen to be, it is certain that the reasoning was convincing to a very large part of the American people.

In his own department Van Buren practiced little of the proscription which was active elsewhere. Of seventeen foreign representatives, but four were removed in the first year. Doubtless he was fortunate in having an office without the amount of patronage of the Post-Office or the Treasury. Nothing in his career, however, showed a personal liking for removals. The distribution of offices was not distasteful to him; but his temper was neither proscriptive nor unfriendly. At times even his partisan loyalty was doubted for his reluctance in this, which was soon deemed an appropriate and even necessary party work.

But Van Buren did not oppose the ruinous and demoralizing system. Powerful as he was with Jackson, wise and far-seeing as he was, he must receive for his acquiescence, or even for his silence, a part of the condemnation which the American people, as time goes on, will more and more visit upon one of the great political offenses committed against their political integrity and welfare. But it must in justice be remembered, not only that Van Buren did not begin or actively conduct the distribution of spoils; not only that his acquiescence was in a practice which in his own State he had found well established; but that the practice in which he thus joined was one which it is probable he could not have fully resisted without his own political destruction, and perhaps the temporary prostration of the political causes to which he was devoted. Though these be palliations and not defenses, the biographer ought not to apply to human nature a rule of unprecedented austerity. In Van Buren's politic yielding there was little, if any, more timidity or time-serving than in the like yielding by every man holding great office in the United States since Jackson's inauguration; and the worst, the most corrupting, and the most demoralizing official proscription in America took place thirty-two years afterwards, and under a president who, in wise and exalted patriotism, was one of the greatest statesmen, as he has been perhaps the best loved, of Americans, and to whom blame ought to be assigned all the larger by reason of the extraordinary power and prestige he enjoyed, and the moral fervor of the nation behind him, which rendered less necessary this unworthy aid of inferior patronage.

Lincoln

So crowded and interesting were the two years of Van Buren's life in the cabinet with matters apart from the special duties of his office, that it is only at the last, and briefly, that an account can be given of his career as secretary of state. His conduct of foreign affairs was firm, adroit, dignified, and highly successful. It utterly broke the ideal of turbulent and menacing incompetence which the Whigs set up for Jackson's presidency.

He had to solve no difficulty of the very first order; for the United States were in profound peace with the whole world. He performed, however, with skill and success two diplomatic services of real importance, services which brought deserved and most valuable strength to Jackson's administration. The American claims for French spoliations upon American ships during the operation of Napoleon's Berlin and Milan decrees had been under discussion for many years. They were now resolutely pressed. In his message of December, 1829, Jackson, doubtless under Van Buren's advice, paid some compliments to "France, our ancient ally;" but then said very plainly that these claims, unless satisfied, would continue "a subject of unpleasant discussion and possible collision between the two governments." He politely referred to "the known integrity of the French monarch," Charles X., as an assurance that the claims would be paid. A few months afterwards this Bourbon was tumbled off the French throne; and in December, 1830, Jackson with increased courtliness, and with a flattering allusion to Lafayette, conspicuous in this milder revolution as he had been in 1789, rejoiced in "the high voucher we possess for the enlarged views and pure integrity" of Louis Philippe. The new American vigor, doubtless aided by the liberal change in France, brought a treaty on July 4, 1831, under which $5,000,000 was to be paid by France, a result which Jackson, with pardonable boasting, said in his message of December, 1831, was an encouragement "for perseverance in the demands of justice," and would admonish other powers, if any, inclined to evade those demands, that they would never be abandoned. The French treaty came so soon after Van Buren's retirement from the state department, and followed so naturally upon the methods of his negotiation, and his instructions to William C. Rives, our minister at Paris, that much of its credit belonged to him. In March, 1830, a treaty was made with Denmark requiring the payment of $650,000 for Danish spoliations on American commerce. The effective pressing of these claims was justly one of the most popular performances of the administration. Commercial treaties were concluded with Austria in August, 1829; with Turkey in May, 1830; and with Mexico in April, 1831.

But the chief transaction of Van Buren's foreign administration was the opening of trade in American vessels between the United States and the British West Indian colonies. This commerce was then relatively much more important to the United States than in later times; and it was chiefly by American shipping that American commerce was carried on with foreign countries. The absurd and odious restrictions upon intercourse so highly natural and advantageous to the people of our seaboard and of the British West Indian islands had led to smuggling on a large scale, and were fruitful of international irritations. Retaliatory acts of Congress and Parliament, prohibitive proclamations of our presidents, and British orders in council, had at different times, since the close of the second British war in 1815, oppressed or prevented honest and profitable trade between neighbors who ought to have been friendly traders. Van Buren found the immediate position to be as follows. In July, 1825, an act of Parliament had allowed foreign vessels to trade to the British colonies upon conditions. To secure for American vessels the benefit of this act, it was necessary that within one year American ports should be open to British vessels bringing the same kind of British or colonial produce as could be imported in American vessels; that British and American vessels in the trade should pay the same government charges; that alien duties on British vessels and cargoes, that is, duties not imposed on the like vessels and cargoes owned by Americans, should be suspended; and that the provision of an American law of 1823 limiting the privileges of the colonial trade to British vessels carrying colonial produce to American ports directly from the colonies exporting it, and without stopping at intermediate ports, should be repealed. John Quincy Adams's administration had failed within the year to comply with the conditions imposed by the British law of 1825. In 1826, therefore, Great Britain forbade this trade and intercourse in American vessels. Adams retorted with a counter prohibition in March, 1827. And in this unfortunate position Van Buren found our commercial relations with the West Indian, Bahama, and South American colonies of England. The situation was aggravated by a claim made by the American government in 1823 that American goods should pay in the colonial ports no higher duties than British goods, a protest against British protection to British industry in the British colonies coming with little grace from a country itself maintaining the protective system. Adams had sent Gallatin to England to remedy the difficulty, but without success.

Van Buren adopted a different method of negotiation. A more conciliatory bearing was assumed towards our traditional adversary. Jackson, in language sounding strangely from his imperious mouth, was made to say in his first message that "with Great Britain, alike distinguished in peace and war, we may look forward to years of peaceful, honorable, and elevated competition; that it is their policy to preserve the most cordial relations." These, he said, were his own views; and such were "the prevailing sentiments of our constituents." In his instructions to McLane, the minister at London, Van Buren, departing widely from conventional diplomacy, expressly conceded that the American government had been wrong in its claim that England should admit to its colonies American goods on as favorable terms as British goods; that it had been wrong in requiring British ships bringing colonial produce to come and go directly from and to the producing colonies; and that it had been wrong in refusing the privileges offered by the British law of 1825. This frank surrender of untenable positions showed the highest skill in negotiation, a business for which Van Buren was perhaps better equipped than any American of his time. In these points we were "assailable;" we had "too long and too tenaciously" resisted British rights. After these admissions, it would, he said, be improper for Great Britain to suffer "any feelings that find their origin in the past pretensions of this government to have an adverse influence upon the present conduct of Great Britain." McLane was to tell the Earl of Aberdeen that "to set up the act of the late administration as the cause of forfeiture of privileges which would otherwise be extended to the people of the United States would, under existing circumstances, be unjust in itself, and could not fail to excite their deepest sensibility." McLane was also to allude to the parts taken by the members of Jackson's administration in the former treatment of the question under discussion. And here Van Buren used the objectionablé sentence which led to his subsequent rejection by the Senate as minister to England, and which through that, such are the curious caprices of politics, led, or at least helped to lead, him to the presidency. He said, "Their views upon that point have been submitted to the people of the United States; and the counsels by which your conduct is now directed are the result of the judgment expressed by the only earthly tribunal to which the late administration was amenable for its acts."

In Van Buren's sagacious desire to emphasize the abandonment of claims preventing the negotiation, he here introduced to a foreign nation the American people as a judge that had condemned the assertion of such claims by Jackson's predecessor. The statement was at least an exaggeration. There was little reason to suppose that Adams's failure in the negotiation over colonial trade had much, if at all, influenced the election of 1828. Nor was it dignified to officially expose our party contests to foreign eyes. But Van Buren was intent upon success in the negotiation. He could succeed where others had failed, only by a strong assertion of a change in American policy. His fault was at most one of taste in the manner of an assertion right enough and wise enough in itself. Nor were these celebrated instructions lacking in firmness or dignity. Great Britain was clearly warned that she must then decide for all time whether the hardships from which her West Indian planters suffered should continue; and that the United States would not "in expiation of supposed past encroachments" repeal their laws, leaving themselves "wholly dependent upon the indulgence of Great Britain," and not knowing in advance what course she would follow. In his speech in the Senate in February, 1827, Van Buren had clearly stated the general positions which he took in this famous dispatch. It is rather curious, however, that he found occasion then to say upon this very subject what he seemed afterwards to forget, that "in the collisions which may arise between the United States and a foreign power, it is our duty to present an unbroken front; domestic differences, if they tend to give encouragement to unjust pretensions, should be extinguished or deferred; and the cause of our government must be considered as the cause of our country." So easy it is to advise other men to be bold and firm.

McLane's long and very able letter to the British foreign secretary closely followed his instructions. Lord Aberdeen was frankly told that the United States had committed "mistakes" in the past; and that the "American pretensions" which had prevented a former arrangement would not be revived. The negotiation was entirely successful. In October, 1830, the President, with the authorization of Congress, declared American ports open to British vessels and their cargoes coming from the colonies, and that they should be subject to the same charges as American vessels coming from the same colonies. In November a British order in council gave to American vessels corresponding privileges. On January 3, 1831, Jackson sent to the Senate the papers, including Van Buren's letter of instructions. No criticism was made upon their tenor; and the public, heedless of the phrases used in reaching the end, rejoiced in a most beneficent opening of commerce.

CHAPTER VII

MINISTER TO ENGLAND. — VICE-PRESIDENT. — ELECTION TO THE PRESIDENCY

In the summer of 1831 Van Buren knew very well the strong hold he had upon his party, the entire and almost affectionate confidence which he enjoyed from Jackson, and the prestige which his political and official success had brought him. But to the country, as he was well aware, he seemed also to be, as he was, a politician, obviously skilled in the art, and an avowed candidate for the presidency. His conciliatory bearing, his abstinence from personal abuse, his freedom from personal animosities, all were widely declared to be the mere incidents of constant duplicity and intrigue. The absence of proof, and his own explicit denial and appeal to those who knew the facts, did not protect him from the belief of his adversaries — a belief which, without examination, has since been widely adopted — that to prostrate a dangerous rival he had promoted the quarrel between Jackson and Calhoun. McLane, the minister at London, wished to come home, and was to be the new secretary of the treasury. Van Buren gladly seized the opportunity. He would leave the field of political management. Three thousand miles in distance and a month in time away from Washington or New York, there could, he thought, be little pretense of personal manœuvres on his part. He would thus plainly submit his candidacy to popular judgment upon his public career, without interference from himself. He would escape the many embarrassments of every politician upon whom demands are continually made, — demands whose rejection or allowance alike brings offense. The English mission was prominently in the public service, but out of its difficulties; and it was made particularly grateful to him by his success in the recent negotiation over colonial trade. He therefore accepted the post, for which in almost every respect he had extraordinary equipment. He finally left the State Department in June, 1831; and on his departure from Washington Jackson conspicuously rode with him out of the city. On August 1, he was formally appointed minister to Great Britain; and in September he arrived in London, accompanied by his son John.

Van Buren found Washington Irving presiding over the London legation in McLane's absence as *chargé d'affaires*. Irving's appointment to be secretary of legation under McLane had been one of Van Buren's early acts, — a proof, Irving wrote, "of the odd way in which this mad world is governed, when a secretary of state of a stern republic gives away offices of the kind at the recommendation of a jovial little man of the seas like Jack

Nicholson." But this was jocose. When the appointment was suggested, it was particularly pleasant to Van Buren that this graceful and gentle bit of patronage should be given by so grim a figure as Jackson. Irving had come on from Spain, his "Columbus" just finished, and his "Alhambra Tales" ready for writing. His extraordinary popularity in England and his old familiarity with its life made him highly useful to the American minister, as Van Buren himself soon found. It was not the last time that Englishmen respected the republic of the west the more because the respect carried with it an homage to the republic of letters. Irving's was an early one of the appointments which established the agreeable tradition of the American diplomatic and consular service, that literary men should always hold some of its places of honor and profit. When Van Buren arrived, Irving was already weary of his post and had resigned. He remained, however, with the new minister until he too surrendered his office. The two men became warm and lifelong friends. The day after Van Buren's arrival Irving wrote: "I have just seen Mr. Van Buren, and do not wonder you should all be so fond of him. His manners are most amiable and ingratiating; and I have no doubt he will become a favorite at this court." After an intimacy of several months he wrote: "The more I see of Mr. Van Buren, the more I feel confirmed in a strong personal regard for him. He is one of the gentlest and most amiable men I have ever met with; with an affectionate disposition that attaches itself to those around him, and wins their kindness in return."

After a few months of the charming life which an American of distinction finds open to him in London, a life for whose duties and whose pleasures Van Buren was happily fitted,[1] there came to him an extraordinary and enviable delight. He posted through England in an open carriage with the author of the "Sketch Book" and "Bracebridge Hall." From those daintiest sources he had years before got an idea of English country life, and of the festivities of an old-fashioned English Christmas; and now in an exquisite companionship the idea became more nearly clothed with reality than happens with most literary enchantments. After Oxford and Blenheim; after quartering in Stratford at the little inn of the Red Horse, where they "found the same obliging little landlady that kept it at the time of the visit recorded in the 'Sketch Book';" after Warwick Castle and Kenilworth and Lichfield and Newstead Abbey and Hardwick Castle; after a fortnight at Christmas in Barlborough Hall, — "a complete scene of old English hospitality," with many of the ancient games and customs then obsolete in other parts of England;

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[1] A month or two after his arrival Van Buren wrote Hamilton that his place was decidedly the most agreeable he had ever held. but added: "Money — money is the thing." His house was splendid and in a delightful situation; but it cost him £500. His carriage cost him £310, and his servants with their board $2,600.

after seeing there the "mummers and morris dancers and glee singers;" after "great feasting with the boar's-head crowned with holly, the wassail bowl, the yule-log, snapdragon, etc.;" — after all these delights, inimitably told by his companion, Van Buren returned to London, but not for long. He there enjoyed the halcyon days which the brilliant society of London knew, when George IV. had just left the throne to his undignified but goodhearted and jovial brother; when Louis Philippe had found a bourgeois crown in France and the condescending approval of England; when Wellington was the first of Englishmen; when Prince Talleyrand, his early republicanism and sacrileges not at all forgotten, but forgiven to the prestige of his abilities and the splendid fascinations of his society, was the chief person in diplomatic life; when the Wizard of the North, though broken, and on his last and vain trip to the Mediterranean for health, still lingered in London, one of its grand figures, and sadly recalled to Irving the times when they "went over the Eildon hills together;" when Rogers was playing Mæcenas and Catullus at breakfast-tables of poets and bankers and noblemen. It was amid this serene, shining, and magical translation from the politics at home that Van Buren received the rude and humiliating news of his rejection by the Senate; for his appointment had been made in recess, and he had left without a confirmation.

One evening in February, 1832, before attending a party at Talleyrand's, Van Buren learned of the rejection, as had all London which knew there was an American minister. He was half ill when the news came; but he seemed imperturbable. Without shrinking he mixed in the splendid throng, gracious and easy, as if he did not know that his official heart would soon cease to beat. Lord Auckland, then president of the board of trade and afterwards governor-general of India, said to him very truly, and more prophetically than he fancied: "It is an advantage to a public man to be the subject of an outrage." Levees and drawing-rooms and state dinners were being held in honor of the queen's birthday. After a doubt as to the more decorous course, he kept the tenor of diplomatic life until he ceased to be a minister; and Irving said that, "to the credit of John Bull," he "was universally received with the most marked attention," and "treated with more respect and attention than before by the royal family, by the members of the present and the old cabinet, and the different persons of the diplomatic corps." On March 22, 1832, he had his audience of leave; two days later he dined with the king at Windsor; and about April 1 left for Holland and a continental trip, this being, so he wrote a committee appointed at an indignation meeting in Tammany Hall, "the only opportunity" he should probably ever have for the visit.

Van Buren's dispatches from England, now preserved in the archives of the State Department, are not numerous. They were evidently written by a minister who was not very busy in official duties apart from the social and ceremonial life of a diplomat. Some of them are in his own handwriting, whose straggling carelessness is quite out of keeping with the obvious pains which he bestowed upon every subject he touched, even those of seemingly slight consequence. Interspersed with allusions to the northeastern boundary question, and with accounts of his protests against abuses practiced upon American ships in British ports, and of the spread of the cholera, he gave English political news and even gossip. He discussed the chances of the reform bill, rumors of what the ministry would do, and whether the Duke of Wellington would yield. Van Buren participated in no important dispute, although before surrendering his post he presented one of the hateful claims which American administrations of both parties had to make in those days. This was the demand for slaves who escaped from the American brig "Comet," wrecked in the Bahamas, on her way from the Potomac to New Orleans, and who were declared free by the colonial authorities.

It is safe to believe that Secretary Livingston read the more interesting of these letters at the White House. Van Buren discreetly lightened up some of the diplomatic pages with passages very agreeable to Jackson. In describing his presentation to William IV., he told Livingston that the king had formed the highest estimate of Jackson's character, and repeated the royal remark "that detraction and misrepresentation were the common lot of all public men." Of the President's message of December, 1831, he wrote that few in England refused to recognize its ability or the "distinguished talents of the executive by whose advice and labors" the affairs "of our highly favored country" had been "conducted to such happy results."

On July 5, 1832, Van Buren arrived at New York, having several weeks before been nominated for the vice-presidency. He declined a public reception, he said, because, afflicted as New York was with the cholera, festivities would be discordant with the feelings of his friends; and a few days later he was in Washington. Congress was in session, debating the tariff bill; and he quickly enough found it true, as he had already believed, that his rejection had been a capital blunder of his enemies. The rejection occurred on January 25, 1832. Jackson's nomination had gone to the Senate early in December, but the opposition had hesitated at the responsibility for the affront. The debate took place in secret session, but the speeches were promptly made public for their effect on the country. Clay and Webster, the great leaders of the Whigs, and Hayne, the eloquent representative of the Calhoun Democracy, and others, spoke against Van Buren. Clay and Webster based their rejection upon his language in the dispatch to McLane, already quoted. Webster said that he would pardon almost anything where he saw true patriotism and sound American feeling; but he could not forgive the sacrifice of these to party. Van Buren, with sensible and skillful foresight, had frankly admitted that we had been wrong in some of our claims; and Gallatin, it was afterwards shown from his original dispatch to Clay, had expressly said the same thing. But in a bit of buncombe Webster insisted that no American minister must ever admit that his country had been wrong. "In the presence of foreign courts," he solemnly said, "amidst the monarchies of Europe, he is to stand up for his country and his whole country; that no jot nor tittle of her honor is to suffer in his hands; that he is not to allow others to reproach either his government or his country, and far less is he himself to reproach either; that he is to have no objects in his eye but American objects, and no heart in his bosom but an American heart." To say all this, Webster declared, was a duty whose performance he wished might be heard "by every independent freeman in the United States, by the British minister and the British king, and every minister and every crowned head in Europe." Van Buren's language, Clay said, had been that of an humble vassal to a proud and haughty lord, prostrating and degrading the American eagle before the British lion. These cheap appeals fell perfectly flat. If Van Buren had been open to criticism for the manner in which he pointed out a party change in American administration, the error was, at the worst, committed to preclude a British refusal from finding justification in the offensive attitude previously taken by Adams. In admitting our mistaken "pretensions," Van Buren had been entirely right, barring a slight fault in the word, which did not, however, then seem to import the consciousness of wrong which it carries to later ears. Webster and Clay ought to have known that Van Buren's success where all before had failed would make the American people loath to find fault with his phrases. Nor were they at all ready to believe that Jackson's administration toadied to foreign courts. They knew better; they were convinced that no American president had been more resolute towards other nations.

It was also said that Van Buren had introduced the system of driving men from office for political opinions; that he was a New York politician who had brought his art to Washington. Marcy, one of the New York senators, defended his State with these words, which afterwards he must have wished to recall: "It may be, sir, that the politicians of New York are not so fastidious as some gentlemen are as to disclosing the principles on which they act. They boldly preach what they practice. When they are contending for victory they avow their intention of enjoying the fruits of it. If they are defeated, they expect to retire from office; if they are successful, they claim, as a matter of right, the advantages of success. They see nothing wrong in the rule that to the victor belong the spoils of the enemy." To this celebrated and execrable defense Van Buren owes much of the later and unjust belief that he was an inveterate "spoilsman." It has already been shown how little foundation there is for the charge that he introduced the system of official proscription. Benton truly said that Van Buren's temper and judgment were both against it, and that he gave ample proofs of his forbearance. Webster did not touch upon this objection. Clay made it very subordinate to the secretary's abasement before the British lion.

The attack of the Calhoun men was based upon Van Buren's supposed intrigue against their chief, and his breaking up of the cabinet. But people saw then, better indeed than some historians have since seen, that between Calhoun and Van Buren there had been great and radical political divergence far deeper than personal jealousy. To surrender the highest cabinet office, to leave Washington and all the places of political management, in order to take a lower office in remote exile from the sources of political power, — these were not believed to be acts of mere trickery, but rather to be parts of a courageous and self-respecting appeal for justice. It seemed a piece of political animosity wantonly to punish a rival with such exquisite humiliation in the eyes of foreigners.

There was a clear majority against confirming Van Buren. But to make his destruction the more signal, and as Calhoun had no opportunity to speak, enough of the majority refrained from vot ing to enable the Democratic vice-president to give the casting vote for the rejection of this Democratic nominee. Calhoun's motive was obvious enough from his boast in Benton's hearing: "It will kill him, sir, kill him dead. He will never kick, sir, never kick." This bit of unaffected nature was refreshing after all the solemnly insincere declarations of grief which had fallen from the opposition senators in performing their duty.

The folly of the rejection was quickly apparent. Benton very well said to Moore, a senator from Alabama who had voted against Van Buren, "You have broken a minister and elected a vice-president. The people will see nothing in it but a combination of rivals against a competitor." The popular verdict was promptly given. Van Buren had already become a candidate to succeed Jackson five years later; he was only a possible candidate for vice-president at the next election. When the rejection was widely known, it was known almost equally well and soon that Van Buren would be the Jacksonian candidate for vice-president. Meetings were held; addresses were voted; the issue was eagerly seized. The Democratic members of the New York legislature early in February, 1832, under an inspiration from Washington, addressed to Jackson an expression of their indignation in the stately words which our fathers loved, even when they went dangerously near to bathos. They had freely, they said, surrendered to his call their most distinguished fellow-citizen; when Van Buren had withdrawn from the cabinet they had beheld in Jackson's continual confidence in him irrefragable proof that no combination could close Jackson's eyes to the cause of his country; New York would indeed avenge the indignity thus offered to her favorite son; but they would be unmindful of their duty if they failed to console Jackson with their sympathy in this degradation of the country he loved so well. On February 28, Jackson replied with no less dignity and with skill and force. He was, he said, — and the whole country believed him, — incapable of tarnishing the pride or dignity of that country whose glory it had been his object to elevate; Van Buren's instructions to McLane had been his instructions; American pretensions which Adams's administration had admitted to be untenable had been resigned; if just American claims were resisted upon the ground of the unjust position taken by his predecessor, then and then only was McLane to point out that there had been a change in the policy and counsels of the government with the change of its officers. Jackson said that he owed it to the late secretary of state and to the American people to declare that Van Buren had no participation whatever in the occurrences between Calhoun and himself; and that there was no ground for imputing to Van Buren advice to make the removals from office. He had called Van Buren to the state department not more for his acknowledged talents and public services than to meet the general wish and expectation of the Republican party; his signal ability and success in office had fully justified the selection; his own respect for Van Buren's great public and private worth, and his full confidence in his integrity were undiminished. This blast from the unquestioned head of the party prodigiously helped the general movement. The only question was how best to avenge the wrong.

It was suggested that Van Buren should return directly and take a seat in the Senate, which Dudley would willingly surrender to him, and should there meet his slanderers face to face. Some thought that he should have a triumphal entry into New York, without an idea of going into the "senatorial cock-pit" unless he were not to receive the vice-presidency. Others thought that he should be made governor of New York, an idea shadowed forth in the Albany address to Jackson. As a candidate for that place, he would escape the jealousies of Pennsylvania and perhaps Virginia, and augment the local strength of the party in New York. To this it was replied from Washington that they might better cut his throat at once; that if the Republican party could not, under existing circumstances, make Van Buren vice-president, they need never look to the presidency for him. This was declared to be the unanimous opinion of the cabinet. New York Republicans were begged not to "lose so glorious an opportunity of strengthening and consolidating the party." The people at Albany, it was said, were "mad, . . .

as if New York can make amends for an insult offered by fourteen States of the Union."

In this temper the Republican or Democratic convention met at Baltimore on May 21, 1832. It was the first national gathering of the party; and was summoned simply to nominate a vice-president. Jackson's renomination was already made by the sovereign people, which might be justly affronted by the assembling of a body in apparent doubt whether to obey the popular decree. National conventions were inevitable upon the failure of the congressional caucus in 1824. The system of separate nominations in different States at irregular times was too inconvenient, too inconsistent with unity of action and a central survey of the whole situation. In 1824 its inconvenience had been obvious enough. In 1828 circumstances had designated both the candidates with perfect certainty; and isolated nominations in different parts of the country were then in no danger of clashing. It has been recently said that the convention of 1832 was assembled to force Van Buren's nomination for vice-president. But it is evident from the letter which Parton prints, written by Lewis to Kendall on May 25, 1831, when the latter was visiting Isaac Hill, the Jacksonian leader in New Hampshire, that the convention was even then proposed by "the most judicious" friends of the administration. It was suggested as a plan "of putting a stop to partial nominations" and of "harmonizing" the party. Barbour, Dickinson, and McLane were the candidates discussed in this letter; Van Buren was not named. He was about sailing for England; and although an open candidate for the presidential succession after Jackson, he was not then a candidate for the second office. The ascription of the convention to management in his behalf seems purely gratuitous. Upon this early invitation, the New Hampshire Democrats called the convention. One of them opened its session by a brief speech alluding to the favor with which the idea of the convention had met, "although opposed by the enemies of the Democratic party," as the Republican party headed by Jackson was now perhaps first definitely called. He said that "the coming together of representatives of the people from the extremity of the Union would have a tendency to soothe, if not to unite, the jarring interests;" and that the people, after seeing its good effects in conciliating the different and distant sections of the country, would continue the mode of nomination. This natural and sensible motive to strengthen and solidify the party is ample explanation of the convention, without resorting to the rather worn charge brought against so many political movements of the time, that they arose from Jackson's dictatorial desire to throttle the sentiment of his party. In making nominations the convention resolved that each State should have as many votes as it would be entitled to in the electoral college. To assure what was deemed a reasonable approach to unanimity, two thirds of the whole number of votes was required for a choice, — a precedent sad enough to Van Buren twelve years later. On the first ballot Van Buren had 208 of the 283 votes. Virginia, South Carolina, Indiana, and Kentucky, with a few votes from North Carolina, Alabama, and Illinois, were for Philip P. Barbour of Virginia or Richard M. Johnson of Kentucky. The motion, nowadays immediately made, that the nomination be unanimous was not offered; but after an adjournment a resolution was adopted that inasmuch as Van Buren had received the votes of two thirds of the delegates, the convention unanimously concur "in recommending him to the people of the United States for their support."

No platform was adopted. A committee was appointed after the nomination to draft an address; but after a night's work they reported that, although "agreeing fully in the principles and sentiments which they believe ought to be embodied in an address of this description, if such an address were to be made," it still seemed better to them that the convention recommend the several delegations "to make such explanations by address, report, or otherwise to their respective constituents of the objects, proceedings, and result of the meeting as they may deem expedient." This was a franker intimation than those to which we are now used, that the battle was to be fought in each State upon the issue best suited to its local sentiments; and was entitled to quite as much respect as meaningless platitudes adopted lest one State or another be offended at something explicit. Jackson's firm and successful foreign policy, his opposition to internal improvements by the federal government, his strong stand against nullification, his opposition to the United States Bank, — for from the battle over the re-charter, precipitated by Clay early in 1832 to embarrass Jackson, the latter had not shrunk, — and above all Jackson himself, these were the real planks of the platform. But the party wanted the votes of Pennsylvania Jacksonians who believed in the Bank and of western Jacksonians who wished federal aid for roads and canals. The great tariff debate was then going on in Congress; and the subject seemed full of danger. The election was like the usual English canvass on a parliamentary dissolution. The country was merely asked without specifications: Do you on the whole like Jackson's administration?

There is no real ground for the supposition that intrigue or coercion was necessary to procure Van Buren's nomination. It was dictated by the simplest and plainest political considerations. Calhoun was in opposition. After Jackson, Van Buren was clearly the most distinguished and the ablest member of the administration party; he had rendered it services of the highest order; he was very popular in the most important State of New York; he was abroad, suffering from what Irving at the time truly called "a very short-sighted and mean-spirited act of hostility." The affront had aroused a general feeling which would enable Van Buren to strengthen the ticket. In his department had been performed the most shining achievements of the administration. To the politicians about Jackson, and very shrewd men they were, Van Buren's succession to Jackson promised a firmer, abler continuance of the administration than that of any other public man. Could he indeed have stayed minister to England, he would have continued a figure of the first distinction, free from local and temporary animosities and embarrassments. From that post he might perhaps, as did a later Democratic statesman, most easily have ascended to the presidency; the vice-presidency would have been unnecessary to the final promotion. But after the tremendous affront dealt him by Calhoun and Clay, his tame return to private life would seem fatal. He must reënter public life. And no reëntry, it was plain, could be so striking as a popular election to the second station in the land, nominal though it was, and in taking it to displace the very enemy who had been finally responsible for the wrong done him.

A month after his return Van Buren formally accepted the nomination. The committee of the convention had assured him that if the great Republican party continued faithful to its principles, there was every reason to congratulate him and their illustrious president that there was in reserve for his wounded feelings a just and certain reparation. Van Buren said in reply that previous to his departure from the United States his name had been frequently mentioned for the vice-presidency; but that he had uniformly declared himself altogether unwilling to be considered a candidate, and that to his friends, when opportunity offered, he had given the grounds of his unwillingness. All this was strictly true. He had become a candidate for the presidential succession; and honorable absence as minister to England secured a better preparation than presence as vice-president amidst the difficulties and suspicions of Washington. But his position, he added, had since that period been essentially changed by the circumstance to which the committee had referred, and to which, with some excess of modesty he said, rather than to any superior fitness on his part, he was bound to ascribe his nomination. He gratefully received this spontaneous expression of confidence and friendship from the delegated democracy of the Union. He declared it to be fortunate for the country that its public affairs were under the direction of one who had an early and inflexible devotion to republican principles and a moral courage which distinguished him from all others. In the conviction, he said, that on a faithful adherence to these principles depended the stability and value of our confederated system, he humbly hoped lay his motive, rather than any other, for accepting the nomination. This rather clumsy affectation of humility would have been more disagreeable had it not been closely associated with firm and manly expressions, and because it was so common a formality in the political vernacular of the day. In treating the people as the sovereign, there were adopted the sort of rhetorical extravagances used by attendants upon monarchs.

On October 4, 1832, Van Buren, upon an interrogation by a committee of a meeting at Shocco Springs, North Carolina, wrote a letter upon the tariff. He said that he believed "the establishment of commercial regulations with a view to the encouragement of domestic products to be within the constitutional power of Congress." But as to what should be the character of the tariff he indulged in the generalities of a man who has opinions which he does not think it wise or timely to exhibit. He did not wish to see the power of Congress exercised with "oppressive inequality" or "for the advantage of one section of the Union at the expense of another." The approaching extinguishment of the national debt presented an opportunity for a "more equitable adjustment of the tariff," an opportunity already embraced in the tariff of 1832, whose spirit as "a conciliatory measure" he trusted would be cherished by all who preferred public to private interests. These vague expressions would have fitted either a revenue reformer or an extreme protectionist. Both disbelieved, or said they did, in oppression and inequality. With a bit of irony, perhaps unconscious, he added that he had been thus "explicit" in the statement of his sentiments that there might not be room for misapprehension of his views. He did, however, in the letter approve "a reduction of the revenue to the wants of the government," and "a preference in encouragement given to such manufactures as are essential to the national defense, and its extension to others in proportion as they are adapted to our country and of which the raw material is produced by ourselves." The last phrase probably hinted at Van Buren's position. He believed in strictly limiting protective duties, although he had voted for the tariff of 1828. But he told Benton that he cast this vote in obedience to the "*demos krateo*" principle, that is, because his State required it. He again spoke strongly against the policy of internal improvements, and the "scrambles and combinations in Congress" unavoidably resulting from them. He was "unreservedly opposed" to a renewal of the charter of the Bank, and equally opposed to nullification, which involved, he believed, the "certain destruction of the confederacy."

A few days later he wrote to a committee of "democratic-republican young men" in New York of the peculiar hatred and contumely visited upon him. Invectives against other men, he said, were at times suspended; but he had never enjoyed a moment's respite since his first entrance into public life. Many distinguished public men had, he added, been seriously injured by favors from the press; but there was scarcely an instance in which the objects of its obloquy had not been raised in public estimation in exact proportion to the intensity and duration of the abuse.

Both the letter from the Baltimore convention and Van Buren's reply alluded to "diversity of sentiments and interests," disagreements "as to measures and men" among the Republicans. The secession of Calhoun and the bitter hostility of his friends seriously weakened the party. But against this was to be set the Anti-Masonic movement which drew far more largely from Jackson's opponents than from his supporters, for Jackson was a Mason of a high degree. This strange agitation had now spread beyond New York, and secured the support of really able men. Judge McLean of the Supreme Court desired the Anti-Masonic nomination; William Wirt, the famous and accomplished Virginian, accepted it. John Quincy Adams would probably have accepted it, had it been tendered him. He wrote in his diary: "The dissolution of the Masonic institution in the United States I believe to be really more important to us and our posterity than the question whether Mr. Clay or General Jackson shall be the president." In New York the National Republicans or Whigs, with the eager and silly leaning of minority parties to political absurdities or vagaries, united with the Anti-Masons, among whom William H. Seward and Thurlow Weed had become influential. In 1830 they had supported Francis Granger, the Anti-Masonic candidate for governor. In 1832 the Anti-Masons in New York nominated an electoral ticket headed by Chancellor Kent, whose bitter, narrow, and unintelligent politics were in singular contrast with his extraordinary legal equipment and his professional and literary accomplishments, and by John C. Spencer, lately in charge of the prosecution of Morgan's abductors. If the ticket were successful, its votes were to go to Wirt or Clay, whichever they might serve to elect. Amos Ellmaker of Pennsylvania was the Anti-Masonic candidate for vice-president. In December, 1831, Clay had been nominated for president with the loud enthusiasm which politicians often mistake for widespread conviction. John Sergeant of Pennsylvania was the candidate for vice-president. The Whig Convention made the Bank re-charter the issue. The very ably conducted Young Men's National Republican Convention, held at Washington in May, 1832, gave Clay a noble greeting, made pilgrimage to the tomb of Washington there to seal their solemn promises, and adopted a clear and brief platform for protection, for internal improvements by the federal government, for the binding force upon the coördinate branches of the government of the Supreme Court's opinions as to constitutional questions, not only in special cases formally adjudged, but upon general principles, and against the manner in which the West Indian trade had been recovered. They declared that "indiscriminate removal of public officers for a mere difference of political opinion is a gross abuse of power, corrupting the morals and dangerous to the liberties of the people of this country."

Even more clearly than in the campaign of 1828 was the campaign of 1832 a legitimate political battle upon plain issues. The tariff bill of 1832, supported by both parties and approved by Jackson, prevented the question of protection from being an issue, however ready the Whigs might be, and however unready the Democrats, to give commercial restrictions a theoretical approval. Except on the "spoils" question, the later opinion of the United States has sustained the attitude of Jackson's party and the popular verdict of 1832. The verdict was clear enough. In spite of the Anti-Masonic fury, the numerous secessions from the Jacksonian ranks, and some alarming journalistic defections, especially of the New York "Courier and Enquirer" of James Watson Webb and Mordecai M. Noah, the people of the United States continued to believe in Jackson and the principles for which he stood. Upon the popular vote Jackson and Van Buren received 687,502 votes against 530,189 votes for Clay and Wirt combined, a popular majority over both of 157,313. In 1828 Jackson had had 647,276 votes and Adams 508,064, a popular majority of 139,212. The increase in Jackson's popular majority over two candidates instead of one was particularly significant in the north and east. The majority in New York rose from 5350 to 13,601. In Maine a minority of 6806 became a majority of 6087. In New Hampshire a minority of 3212 became a majority of 6476. In Massachusetts a minority of 23,860 was reduced to 18,458. In Rhode Island and Connecticut the minorities were reduced. In New Jersey a minority of 1813 became a majority of 463. The electoral vote was even more heavily against Clay. He had but 49 votes to Jackson's 219. Wirt had the 7 votes of Vermont, while South Carolina, beginning to step out of the Union, gave its 11 votes to John Floyd of Virginia. Clay carried only Massachusetts, Rhode Island, Connecticut, Delaware, a part of Maryland, and his own affectionate Kentucky. Van Buren received for vice-president the same electoral vote as Jackson, except that the 30 votes of Pennsylvania went to Wilkins, a Pennsylvanian. Sergeant had the same 49 votes as Clay, Ellmaker the 7 votes of Vermont, and Henry Lee of Massachusetts the 11 votes of South Carolina.[1]

This popular triumph brought great glory to Jackson's second inauguration. The glory was soon afterwards made greater and almost universal by his bold attack upon nullification, and by the vigorous and ringing yet dignified and even pathetic proclamation of January, 1833, drafted by

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[1] In estimating the popular vote in 1828, Delaware and South Carolina are excluded, their electors having been chosen by the Legislature. In Georgia in that year there was no opposition to Jackson. In 1832 no popular vote is included for South Carolina or for Alabama. In Mississippi and Missouri there was no opposition to Jackson. In 1829, upon Van Buren's recommendation when governor, the system in New York of choosing electors by districts, which had been in force in the election of 1838, was abolished; and there was adopted the present system of choosing all the electors by the popular vote of the whole State.

Edward Livingston, in which the President commanded obedience to the law and entreated for loyalty to the Union. It could not be overlooked that the treasonable attitude of South Carolina had been taken by the portion of the Democratic party hostile to Van Buren. In a peculiar way therefore he shared in Jackson's prestige.

The election seemed to clarify some of the views of the administration. They now dared to speak more explicitly. On his way to the inauguration, Van Buren, declining a dinner at Philadelphia, recited with approval what he called Jackson's repeated and earnest recommendations of "a reduction of duties to the revenue standard." In his second inaugural Jackson said that there should be exercised "by the general government those powers only that are clearly delegated." In his message of December, 1833, he again spoke of "the importance of abstaining from all appropriations which are not absolutely required for the public interests, and authorized by the powers clearly delegated to the United States;" and this he said with the more emphasis because under the compromise tariff of 1833 a large decrease in revenue was anticipated.

In September, 1833, was announced Jackson's refusal longer to deposit the moneys of the government with the Bank of the United States. It is plain that the dangers of the proposed deposits of the moneys in the state banks were not appreciated. Van Buren at first opposed this so-called "removal of the deposits." Kendall tells of an interview with the Vice-President not long after his inauguration, and while he was a guest at the White House. Van Buren then warmly remonstrated against the continued agitation of the subject, after the resolution of the lower House at the last session that the government deposits were safe with the banks. Kendall replied that so certain to his mind was the success of the Whig party at the next presidential election and the consequent recharter of the Bank, unless it were now stripped of the power which the charge of the public moneys gave it, that if the Bank were to retain the deposits he should consider further opposition useless and would lay down his pen, leaving to others this question and all other politics. "I can live," he said to the Vice-President, "under a corrupt despotism as well as any other man by keeping out of its way, which I shall certainly do." They parted in excitement. A few weeks later Van Buren confessed to Kendall, "I had never thought seriously upon the deposit question until after my conversation with you; I am now satisfied that you were right and I was wrong." Kendall was sent to ascertain whether suitable state banks would accept the deposits, and on what terms. While in New York Van Buren, with McLane lately transferred from the Treasury to the State Department, called on him and proposed that the order for the change in the government depositories should take effect on the coming first of January. The date being a month after the meeting of Congress, the executive action would seem less defiant; and in the mean time the friends of the administration could be more effectually united in support of the measure. Kendall yielded to the proposition though against his judgment, and wrote to the President in its favor. But Jackson would not yield. Whether or not its first inspiration came from Francis P. Blair or Kendall, the removal of the deposits was peculiarly Jackson's own deed. The government moneys should not be left in the hands of the chief enemy of his administration, to be loaned in its discretion, that it might secure doubtful votes in Congress and the support of presses pecuniarily weak. As the Bank's charter would expire within three years, it was pointed out that the government ought to prepare for it by withholding further deposits and gradually drawing out the moneys then on deposit. Van Buren's assent was given, but probably with no enthusiasm. He disliked the Bank heartily enough. The corrupting danger of intrusting government moneys to a single private corporation to loan in its discretion was clear. But a system of "pet banks" through the States was too slight an improvement, if an improvement at all. And any change would at least offend and alarm the richer classes. It is impossible to say what effect upon the re-charter of the Bank and the election of 1836 its continued possession of the deposits would have had. Its tremendous power over credits doubtless gave it many votes of administration congressmen. Possibly, as Jackson and Blair feared, it might have secured enough to pass a re-charter over a veto. If it had been thus re-chartered, it may be doubtful whether the blow to the prestige of the administration might not have been serious enough to elect a Whig in 1836. But it is not doubtful that Van Buren, and not Jackson, was compelled to face the political results of this heroic and imperfect measure.

Some financial disturbance took place in the winter of 1833–1834, which was ascribed by the Whigs to the gradual transfer of the government moneys from the United States Bank and its numerous branches to the state banks. For political effect, this disturbance was greatly exaggerated. Deputations visited Washington to bait Jackson. Memorial after memorial enabled congressmen to make friends by complimenting the enterprise and beauty of various towns, and to depict the utter misery to which all their industries had been brought, solely by a gradual transference throughout the United States of $10,000,000, from one set of depositóries to another. The removal, Webster said, had produced a degree of evil that could not be borne. "A tottering state of credit, cramped means, loss of property and loss of employment, doubts of the condition of others, doubts of their own condition, constant fear of failures and new explosions, and awful dread of the future" — all these evils, "without hope of improvement or change," had resulted from the removal. Clay was more precise in his absurdity. The property of the country had been reduced, he declared, four hundred millions in value. Addressing Van Buren in the Vice-President's chair, he begged him in a burst of bathos to repair to the executive mansion and place before the chief magistrate the naked and undisguised truth. "Go to him," he cried, "and tell him without exaggeration, but in the language of truth and sincerity, the actual condition of this bleeding country, . . . of the tears of helpless widows no longer able to earn their bread, and of unclad and unfed orphans." Van Buren, in the story often quoted from Benton, while thus apostrophized, looked respectfully and innocently at Clay, as if treasuring up every word to be faithfully borne to the President; and when Clay had finished, he called a senator to the chair, went up to the eloquent and languishing Kentuckian, asked him for a pinch of his fine maccoboy snuff, and walked away. But this frivolity was not fancied everywhere. At a meeting in Philadelphia it was resolved "that Martin Van Buren deserves and will receive the execrations of all good men, should he shrink from the responsibility of conveying to Andrew Jackson the message sent by the Honorable Henry Clay." The whole agitation was hollow enough. Jackson was not far wrong in saying in his letter to Hamilton of January 2, 1834: "There is no real general distress. It is only with those who live by borrowing, trade or loans, and the gamblers in stocks." The business of the country was not injured by refusing to let Nicholas Biddle and his subordinates, rather than other men, lend for gain ten millions of government money. But business was soon to be injured by permitting the state banks to do the same thing. The change did not, as Jackson thought, "leave all to trade on their own credit and capital without any interference by the general government except using its powers by giving through its mint a specie currency."

Van Buren took a permanent residence in Washington after his inauguration as vice-president. He now held a rank accorded to no other vice-president before or since. He was openly adopted by the American Augustus, and seemed already to wear the title of Cæsar. As no other vice-president has been, he was the chief adviser of the President, and as much the second officer of the government in power as in the dignity of his station. His only chance of promotion did not lie in the President's death. That the President should live until after the election of 1836 was safely over, Van Buren had every selfish motive as well as many generous motives to desire. His ambition was nowise disagreeable to his chief. To see that ambition satisfied would gratify both patriotic and personal wishes of the tempestuous but not erratic old man in the White House. For there was the utmost intimacy and confidence between the two men. Van Buren had every reason, personal, political, and patriotic, to desire the entire success of the administration. He was not only the second member of it; but in his jealous and anxious watch over it he was preserving his own patrimony. His ability and experience were far greater than those of any other of its members. After Taney had been transferred from the attorney-general's office to the Treasury, in September, 1833, to make the transfer of the deposits, Jackson appointed Benjamin F. Butler, Van Buren's intimate friend, his former pupil and partner, to Taney's place. Louis McLane, Van Buren's predecessor in the mission to England, and his successor, after Edward Livingston, in the State Department, resigned the latter office in the summer of 1834. He had disapproved Jackson's removal of the deposits; he believed it would be unpopular, and the presidential bee was buzzing in his bonnet. John Forsyth of Georgia, an admirer of Van Buren, and one of his defenders in the senatorial debate at the time of his rejection, then took the first place in the cabinet. Van Buren accompanied Jackson during part of the latter's visit to the Northeast in the summer of 1833, when as the adversary of nullification his popularity was at its highest, so high indeed that Harvard College, to Adams's disgust, made him a Doctor of Laws. But the exciting events of Jackson's second term hardly belong, with the information we yet have, to Van Buren's biography. They have been often and admirably told in the lives of Jackson and Clay, the seeming chiefs on the two sides of the long encounter.

Van Buren's nomination for the presidency, bitter as the opposition to it still was, came as matter of course. The large and serious secession of Calhoun and his followers from the Jacksonian party was followed by the later and more serious defection of the Democrats who made a rival Democratic candidate of Hugh L. White, a senator from Tennessee, and formerly a warm friend and adherent of Jackson. It was in White's behalf that Davy Crockett wrote, in 1835, his entertaining though scurrilous life of Van Buren. Jackson's friendship for Van Buren, Crockett said, had arisen from his hatred to Calhoun, of which Van Buren, who was "secret, sly, selfish, cold, calculating, distrustful, treacherous," had taken advantage. Jackson was now about to give up "an old, long-tried, faithful friend, Judge White, who stuck to him through all his tribulations, helped to raise his fortunes from the beginning; adventurers together in a new country, friends in youth and in old age, fought together in the same battles, risked the same dangers, starved together in the same deserts, merely to gratify this revengeful feeling." Van Buren was "as opposite to General Jackson as dung is to a diamond."

It is difficult to find any justification for White's candidacy. He was a modest, dignified senator whose popularity in the Democratic Southwest rendered him available to Van Buren's enemies. But neither his abilities nor his services to the public or his party would have suggested him for the presidency. Doubtless in him as with other modest, dignified men in history, there burned ambition whose fire never burst into flame, and which perhaps for its suppression was the more troublesome. He consented, apparently only for personal reasons, to head the Southern schism from Jackson and Van Buren; and in his political destruction he paid the penalty usually and justly visited upon statesmen who, through personal hatred or jealousy or ambition, break party ties without a real difference of principle. Benton said that White consented to run "because in his advanced age he did the act which, with all old men, is an experiment, and with most of them an unlucky one. He married again; and this new wife having made an immense stride from the head of a boarding-house table to the head of a senator's table, could see no reason why she should not take one step more, and that comparatively short, and arrive at the head of the presidential table."

The Democratic-Republican Convention met at Baltimore on May 20, 1835, nearly eighteen months before the election. There were over five hundred delegates from twenty-three States. South Carolina, Alabama, and Illinois were not represented. Party organization was still very imperfect. The modern system of precise and proportional representations was not yet known. The States which approved the convention sent delegates in such number as suited their convenience. Maryland, the convention being held in its chief city, sent

183 delegates; Virginia, close at hand, sent 102; New York, although the home of the proposed candidate, sent but 42, the precise number of its electoral votes. Tennessee sent but one; Mississippi and Missouri, only two each. In making the nominations, the delegates from each State, however numerous or few, cast a number of votes equal to its representation in the electoral college. The 183 delegates from Maryland cast therefore but ten votes; while the single delegate from Tennessee, much courted man that he must have been, cast 15.

It was the second national convention of the party. The members assembled at the "place of worship of the Fourth Presbyterian Church." Instead of the firm and now long-recognized opening by the chairman of the national committee provided by the well-geared machinery of our later politics, George Kremer of Pennsylvania first "stated the objects of the meeting." Andrew Stevenson of Virginia, the president, felt it necessary in his opening speech to defend the still novel party institution. Efforts, he said, would be made at the approaching election to divide the Republican party and possibly to defeat an election by the people in their primary colleges. Their venerable president had advised, but in vain, constitutional amendments securing this election to the people, and preventing its falling to the House of Representatives. A national convention was the best means of concentrating the popular will, the only defense against a minority party. It was recommended by prudence, sanctioned by the precedent of 1832, and had proved effectual by experience. They must guard against local jealousies. "What, gentlemen," he said, "would you think of the sagacity and prudence of that individual who would propose the expedient of cutting up the noble ship that each man might seize his own plank and steer for himself?" The inquiries must be: Who can best preserve the unity of the Democratic party? Who best understands the principles and motives of our government? Who will carry out the principles of the Jeffersonian era and General Jackson's administration? These demands clearly enough pointed out Van Buren. Prayers were then offered up "in a fervent, feeling manner." The rule requiring two thirds of the whole number of votes for a nomination was again adopted, because "it would have a more imposing effect," though nearly half the convention, 210 to 231, thought a majority was more "according to Democratic principles." Niles records that the formal motion to proceed to the nomination caused a smile among the members, so well settled was it that Van Buren was to be the nominee. He received the unanimous vote of the convention. A strong fight was made for the vice-presidency between the friends of Richard M. Johnson of Kentucky and William C. Rives of Virginia. The former received barely the two-thirds vote. The Virginia delegation upon the defeat of the latter did what would now be a sacrilegious laying of violent hands on the ark. Party regularity was not yet so chief a deity in the political temple. The Virginians had, they said, an unpleasant duty to perform; but they would not shrink from it. They would not support Johnson for the vice-presidency; they had no confidence in his principles or his character; they had come to the convention to support principles, not men; they had already gone as far as possible in supporting Mr. Van Buren, and they would not go further. Not long afterwards Rives left the party. No platform was adopted; but a committee was appointed to prepare an address to the people.

The Whigs nominated General William Henry Harrison for the presidency and Francis Granger for the vice-presidency. They had but a forlorn hope of direct success. But the secession from the Democratic party of the nullifiers, and the more serious secession in the Southwest headed by White, made it seem possible to throw the election into the House. John Tyler of Virginia was the nominee of the bolting Democrats, for vice-president upon the ticket with White. The Whigs of Massachusetts preferred their unequaled orator; for they then and afterwards failed to see, as the admirers of some other famous Americans have failed to see, that other qualities make a truer equipment for the first office of the land than this noble art of oratory. South Carolina would vote against Calhoun's victorious adversary; but she would not, in the first instance at least, vote with the Whig heretics.

It was a disorderly campaign, lasting a year and a half, and never reaching the supreme excitement of 1840 or 1844. The opposition did not deserve success. It had neither political principle nor discipline. Calhoun described the Van Buren men as "a powerful faction (party it cannot be called) held together by the hopes of public plunder and marching under a banner whereon is written 'to the victors belong the spoils.'" There was in the rhetorical exaggeration enough truth perhaps to make an issue. But the political removals under Jackson were only incidentally touched in the canvass. Amos Kendall, then postmaster-general, towards the close of the canvass wrote a letter which, coming from perhaps the worst of Jackson's "spoilsmen," shows how far public sentiment was even then from justifying the political interference of federal officers in elections. Samuel McKean, senator from Pennsylvania, had written to Kendall complaining that three employees of the post-office had used the time and influence of their official stations to affect elections, by written communications and personal importunities. This, he said, was "a loathsome public nuisance," though admitting that since Kendall became postmaster-general he had given no cause of complaint. Kendall replied on September 27, 1836, that though it was difficult to draw the line between the rights of the citizen and the assumptions of the officeholder, he thought it dangerous to our institutions that government employees should "assume to direct public opinion and control the results of elections in the general or state government." His advice to members of his department was to keep as clear from political strife as possible, "to shun mere political meetings, or, if present, to avoid taking any part in their proceedings, to decline acting as members of political committees or conventions." In making appointments he would prefer political friends; but he "would not remove a good postmaster and honest man for a mere difference of political opinion." The complaints were for offenses committed under his predecessor; one of the three offenders had left the service; the other two had been free from criticism for seventeen months. There can be little doubt that the standard thus set up in public was higher than the general practice of Kendall or his subordinates; but the letter showed that public sentiment had not yet grown callous to this odious abuse.

Jackson did not permit the presidential office to restrain him from most vigorous and direct advocacy of Van Buren's claims. He begged Tennessee not to throw herself "into the embraces of the Federalists, the Nullifiers, or the new-born Whigs." They were living, he said, in evil times, when political apostasy had become frequent, when public men (referring to White, John Tyler, and others who had gone with them) were abandoning principle and their party attachment for selfish ends. To this it was replied that the president's memory was treacherous; that he had forgotten his early friends, and listened only "to the voice of flattery and the siren voice of sycophancy." The dissenting Republicans affected to support administration measures, but protested against Jackson's dictating the succession. They were then, they said, "what they were in 1828, — Jacksonians following the creed of that apostle of liberty, Thomas Jefferson."

Without principle as was this formidable secession, it is impossible to feel much more respect for the declaration of principles made for the Whig candidates. Clay, the chief spokesman, complained that Jackson had killed with the pocket veto the land bill, which proposed to distribute the proceeds of the sales of public lands among the States according to their federal population (which in the South included three fifths of the slaves), to be used for internal improvements, education, or other purposes. He pointed out, with "mixed feelings of pity and ridicule," that the few votes in the Senate against the "deposit bill," which was to distribute the surplus among the States, had been cast by administration senators, since deserted by their numerous followers who demanded distribution. He rejoiced that Kentucky was to get a million and a half from the federal treasury. He denounced Jackson's "tampering with the currency" by the treasury order requiring public lands to be paid for in specie and not in bank-notes. Jackson's treatment of the Cherokees seemed the only point of attack apart from his financial policy.

The real party platforms this year were curiously found in letters of the candidates to Sherrod Williams, an individual by no means distinguished. On April 7, 1836, he addressed a circular letter to Harrison, Van Buren, and White, asking each of them his opinions on five points: Did he approve a distribution of the surplus revenue among the States according to their federal population, for such uses as they might appoint? Did he approve a like distribution of the proceeds of the sales of public lands? Did he approve federal appropriations to improve navigable streams above ports of entry? Did he approve another bank charter, if it should become necessary to preserve the revenue and finances of the nation? Did he believe it constitutional to expunge from the records of a house of Congress any of its proceedings? The last question referred to Benton's agitation for a resolution expunging from the records of the Senate the resolution of 1834, condemning Jackson's removal of the deposits as a violation of the Constitution. Harrison, for whose benefit the questions were put, returned what was supposed to be the popular affirmative to the first three inquiries. The fourth he answered in the affirmative, and the fifth in the negative. Van Buren promptly pointed out to Williams that he doubted the right of an elector, who had already determined to oppose him, to put inquiries "with the sole view of exposing, at his own time and the mode he may select, the opinions of the candidate to unfriendly criticism." but nevertheless promised a reply after Congress had risen. This delay he deemed proper, because during the session he might, as president of the Senate, have to vote upon some of the questions. Williams replied that the excuse for delay was "wholly and entirely unsatisfactory." Van Buren curtly said that he should wait as he had stated. On August 8, not far from the time nowadays selected by presidential candidates for their letters of acceptance, Van Buren addressed a letter to Williams, the prolixity of which seems a fault, but which, when newspapers were fewer and shorter, and reading was less multifarious, secured perhaps, from its length, a more ample and deliberate study from the masses of the people.

For clearness and explicitness, and for cogency of argument, this letter has few equals among those written by presidential candidates. This most conspicuous of Van Buren's preëlection utterances has been curiously ignored by those who have accused him of "non-committalism." Congress, he said, does not possess the power under the Constitution to raise money for distribution among the States. If a distinction were justifiable, and of this he was not satisfied, between raising money for such a purpose and the distribution of an unexpected surplus, then the distribution ought not to be attempted without previous amendment of the Constitution. Any system of distribution must introduce vices into both the state and federal governments. It would be a great misfortune if the distribution bill already passed should be deemed a pledge of like legislation in the future. So much of the letter has since largely had the approval of American sentiment, and was only too soon emphasized by the miserable results of the bill thus condemned. The utterance was clear and wise; and it was far more. It was a singularly bold attitude to assume, not only against the views of the opposition, but against a measure passed by Van Buren's own party friends and signed by Jackson, a measure having a vast and cheap popularity throughout the States which were supposed, and with too much truth, not to see that for what they took out of the federal treasury they would simply have to put so much more in. "I hope and believe," said Van Buren, "that the public voice will demand that this species of legislation shall terminate with the emergency that produced it." To the inquiry whether he would approve a distribution among the States of the proceeds of selling the public lands, Van Buren plainly said that if he were elected he would not favor the policy. These moneys, he declared, should be applied "to the general wants of the treasury." To the inquiry whether he would approve appropriations to improve rivers above ports of entry, he quoted with approval Jackson's declaration in the negative. He would not go beyond expenditures for lighthouses, buoys, beacons, piers, and the removal of obstructions in rivers and harbors below such ports.

Upon the bank question, too, he left his interrogator in no doubt. If the people wished a national bank as a permanent branch of their institutions, or if they desired a chief magistrate who as to that would consider it his duty to watch the course of events and give or withhold his assent according to the supposed necessity, then another than himself must be chosen. And he added: "If, on the other hand, with this seasonable, explicit, and published avowal before them, a majority of the people of the United States shall nevertheless bestow upon me their suffrages for the office of president, skepticism itself must cease to doubt, and admit their will to be that there shall not be any Bank of the United States until the people, in the exercise of their sovereign authority, see fit to give to Congress the right to establish one." It was high time "that the federal government confine itself to the creation of coin, and that the States afford it a fair chance for circulation." With the power of either house of Congress to expunge from its records, he pointed out that the President could have no concern. But rather than avoid an answer, he said that he regarded the passage of Colonel Benton's resolution as "an act of justice to a faithful and greatly injured public servant, not only constitutional in itself, but imperiously demanded by a proper respect for the well-known will of the people."

This justly famous letter made up for the rather jejune and conventional letter of acceptance written a year before. Not concealing his sensitiveness to the charge of intrigue and management, Van Buren had then appealed to the members of the Democratic convention, to the "editors and politicians throughout the Union" who had preferred him, to his "private correspondents and intimate friends," and to those, once his "friends and associates, whom the fluctuations of political life" had "converted into opponents." No man, he declared, could truly say that he had solicited political support, or entered or sought to enter into any arrangement to procure him the nomination he had now received, or to elevate him to the chief magistracy. There was no public question of interest upon which his opinions had not been made known by his official acts, his own public avowals, and the authorized explanations of his friends. The last was a touch of the frankness which Van Buren used in vain to stop his enemies' accusations of indirectness. Instead of shielding himself, as public men usually and naturally do, behind Butler, the attorney-general, and others who had spoken for him, he directly assumed responsibility for their "explanations." He considered himself selected to carry out the principles and policy of Jackson's administration, "happy," he said, "if I shall be able to perfect the work which he has so gloriously begun." He closed with the theoretical declaration which consistently ran through his chief utterances, that, though he would "exercise the powers which of right belong to the general government in a spirit of moderation and brotherly love," he would on the other hand "religiously abstain from the assumption of such as have not been delegated by the Constitution."

Upon still another question Van Buren explicitly declared himself before the election. In 1835, the year of his nomination, appeared the cloud like a man's hand which was not to leave the sky until out of it had come a terrific, complete, and beneficent convulsion. Then openly and seriously began the work of the extreme anti-slavery men. Clay pointed out in his speech on colonization in 1836 that "this fanatical class" of abolitionists "were none of your old-fashioned gradual emancipationists, such as Franklin, Rush, and the other wise and benevolent Pennsylvanians who framed the scheme for the gradual removal of slavery." He was right. Many of the new abolitionists were on the verge, or beyond it, of quiet respectability. Educated, intelligent, and even wealthy as some of them were, the abolitionists did not belong to the always popular class of well-to-do folks content with the institutions of society. Most virtuous and religious people saw in them only wicked disturbers of the peace. All the comfortable, philosophical opponents of slavery believed that such wild and reckless agitators would, if encouraged, prostrate the pillars of civilization, and bring on anarchy, bloodshed, and servile wars worse even to the slaves than the wrongs of their slavery. But to the members of the abolition societies which now rose, this was no abstract or economical question. They were undaunted by the examples of Washington and Jefferson and Patrick Henry, who, whatever they said or hoped against slavery, nevertheless held human beings in bondage; or of Adams and other Northern adherents of the Constitution, who for a season at least had joined in a pact to protect the infamous slave traffic. To them, talk of the sacred Union, or of the great advance which negroes had made in slavery and would not have made in freedom, was idle. With unquenched vision they saw the horrid picture of the individual slave life, not the general features of slavery; they saw the chain, the lash, the brutalizing and contrived ignorance; they saw the tearing apart of families, with their love and hope, precisely like those of white men and women, crushed out by detestable cruelty; they saw the beastly dissoluteness inevitable to the plantation system. Nor would they be still, whatever the calm preaching of political wisdom, whatever the sincere and weighty insolence of men of wisdom and uprightness and property. Northern men of 1888 must look with a real shame upon the behavior of their fathers and grandfathers towards the narrow, fiery, sometimes almost hateful, apostles of human rights; and with even greater shame upon the talk of the sacred right of white men to make brutes of black men, a right to be treated, as the best of Americans were so fond of saying, with a tender and affectionate regard for the feelings of the white slave-masters. About the same time began the continual presentation to Congress of petitions for the abolition of slavery, and the foolish but Heaven-ordained attack of slaveholders on the right of petition. The agitation rapidly flaming up was far different from the practical and truly political discussion over the Missouri Compromise fifteen years before.

As yet, indeed, the matter was not politically important, except in the attack upon Van Buren made by the Southern members of his party. Sixteen years before, he had voted against admitting more slave States. He had aided the reëlection of Rufus King, a determined enemy of slavery. He had strongly opposed Calhoun and the Southern nullifiers. In the "Evening Post" and the "Plaindealer" of New York appeared from 1835 to 1837 the really noble series of editorials by William Leggett, strongly proclaiming the right of free discussion and the essential wrong of slavery; although sometimes he condemned the fanaticism now aroused as "a species of insanity." The "Post" strongly supported Van Buren, and was declared at the South to be his chosen organ for addressing the public. It denied, however, that Van Buren had any "connection in any way or shape with the doctrines or movements of the abolitionists." But such denials were widely disbelieved by the slaveholders. It was declared that he had a deep agency in the Missouri question which fixed upon him a support of abolition; his denials were answered by the anti-slavery petitions from twenty thousand memorialists in his own State of New York, and by the support brought him by the enemies of slavery. To all this the Whig "dough-faces" listened with entire satisfaction. They must succeed, if at all, through Southern distrust or dislike of Van Buren. In July, 1834, he had publicly written to Samuel Gwin of Mississippi that his opinions upon the power of Congress over slave property in the Southern States were so well understood by his friends that he was surprised that an attempt should be made to deceive the public about them; that slavery was in his judgment "exclusively under the control of the state governments;" that no "contrary opinion to an extent deserving consideration" was entertained in any part of the United States; and that, without a change of the Constitution, no interference with it in a State could be had "even at the instance of either or of all the slaveholding States." But, it was said, "Tappan, Garrison, and every other fanatic and abolitionist in the United States not entirely run mad, will grant that." And, indeed, Abraham Lincoln was nominated twenty-four years later upon a like declaration of "the right of each State to order and control its own domestic institutions according to its own judgment exclusively."

The District of Columbia, however, was one bit of territory in which Congress doubtless had the power to abolish slavery. In our better days it would seem to have been a natural enough impulse to seek to make free soil at least of the capital of the land of freedom. But the District lay between and was completely surrounded by two slave States. Washington had derived its laws and customs from Maryland. If the District were free while Virginia and Maryland were slave, it was feared with much reason that there would arise most dangerous collisions. Its perpetual slavery was an unforeseen part of the price Alexander Hamilton had paid to procure the federal assumption of the war debts of the States. In Van Buren's time there was almost complete acquiescence in the proposition that, though slavery had in the District no constitutional protection, it must still be deemed there a part of the institution in Virginia and Maryland. How clear was the understanding may be seen from language of undoubted authority. John Quincy Adams had hitherto labored for causes which have but cold and formal interest to posterity. But now, leaving the field of statesmanship, where his glory had been meagre, and, fortunately for his reputation, with the shackles of its responsibility no longer upon him, the generous and exalted love of humanity began to touch his later years with the abiding splendor of heroic and far-seeing courage. He became the first of the great anti-slavery leaders. He entered for all time the group of men, Garrison, Lovejoy, Giddings, Phillips, Sumner, and Beecher, to whom so largely we owe the second and nobler salvation of our land. But Adams was emphatically opposed to the abolition of slavery in the District. In December, 1831, the first month of his service in the House, on presenting a petition for such abolition, he declared that he should not support it. In February, 1837, a few days before Van Buren's inauguration, there occurred the scene when Adams, with grim and dauntless irony, brought to the House the petition of some slaves against abolition. In his speech then he said: "From the day I entered this House down to the present moment, I have invariably here, and invariably elsewhere, declared my opinions to be adverse to the prayer of petitions which call for the abolition of slavery in the District of Columbia."

It is a curious but inevitable impeachment of the impartiality of history that for a declaration precisely the same as that made by a great and recognized apostle of anti-slavery, and made by that apostle in a later year, Van Buren has been denounced as a truckler to the South, a "Northern man with Southern principles." Van Buren's declaration was made, not like Adams's in the easy freedom of an independent member of Congress from an anti-slavery district, but under the constraint of a presidential nomination partially coming from the South. In the canvass before his election, Van Buren gave perfectly fair notice of his intention. "I must go," he said, "into the presidential chair the inflexible and uncompromising opponent of every attempt on the part of Congress to abolish slavery in the District of

Columbia against the wishes of the slaveholding States." This was the attitude, not only of Van Buren and Adams, but of every statesman North and South, and of the entire North itself with insignificant exceptions. The former's explicit declaration was doubtless aimed at the pro-slavery jealousy stirred up against himself in the South; it was intended to have political effect. But it was none the less the unambiguous expression of an opinion sincerely shared with the practically unanimous sense of the country.

A skillful effort was made to embarrass Van Buren with his Southern supporters over a more difficult question. The anti-slavery societies at the North sought to circulate their literature at the South. So strong an enemy of slavery as William Leggett condemned this as "fanatical obstinacy," obviously tending to stir up at the South insurrections, whose end no one could foresee, and as the fruit of desperation and extravagance. The Southern States by severe laws forbade the circulation of the literature. Its receipts from Southern post-offices led to great excitement and even violence. In August, 1835, Kendall, the postmaster-general, was appealed to by the postmaster at Charleston, South Carolina, for advice whether he should distribute papers "inflammatory, and incendiary, and insurrectionary in the highest degree," papers whose very custody endangered the mail. Kendall, in an extraordinary letter, said that he had no legal authority to prohibit the delivery of papers on account of their character, but that he was not prepared to direct the delivery at Charleston of papers such as were described. Gouverneur, the postmaster at New York, being then appealed to by his Charleston brother, declined to forward papers mailed by the American Anti-Slavery Society. This dangerous usurpation was defended upon the principle of *salus populi suprema lex.*

In December, 1835, Jackson called the attention of Congress to the circulation of "inflammatory appeals addressed to the passions of the slaves" (as they used to call the desire of black men to be free), "calculated to stimulate them to insurrection and produce all the horrors of a servile war." A bill was introduced making it unlawful for any postmaster knowingly to deliver any printed or pictorial paper touching the subject of slavery in States by whose laws their circulation was prohibited. Webster condemned the bill as a federal violation of the freedom of the press. Clay thought it unconstitutional, vague, indefinite, and unnecessary, as the States could lay hold of citizens taking such publications from post-offices within their borders. Benton and other senators, several of them Democrats, and seven from slaveholding States, voted against the bill, because they were, so Benton said, "tired of the eternal cry of dissolving the Union, did not believe in it, and would not give a repugnant vote to avoid the trial." The debate did not reach a very exalted height. The question was by no means free from doubt. Anti-slavery papers probably were, as the Southerners said, "incendiary" to their States. Slavery depended upon ignorance and fear. The federal post-office no doubt was intended, as Kendall argued, to be a convenience to the various States, and not an offense against their codes of morality. There has been little opposition to the present prohibition of the use of the post-office for obscene literature, or, to take a better illustration, for the circulars of lotteries which are lawful in some States but not in others.

When the bill came to a vote in the Senate, although there was really a substantial majority against it, a tie was skillfully arranged to compel Van Buren, as Vice-President, to give the casting vote. White, the Southern Democratic candidate so seriously menacing him, was in the Senate, and voted for the bill. Van Buren must, it was supposed, offend the pro-slavery men by voting against the bill, or offend the North and perhaps bruise his conscience by voting for it. When the roll was being called, Van Buren, so Benton tells us, was out of the chair, walking behind the colonnade at the rear of the vice-president's seat. Calhoun, fearful lest he might escape the ordeal, eagerly asked where he was, and told the sergeant-at-arms to look for him. But Van Buren was ready, and at once stepped to his chair and voted for the bill. His close friend, Silas Wright of New York, also voted for it. Benton says he deemed both the votes to be political and given from policy. So they probably were. To Van Buren all the fire-eating measures of Calhoun and the pro-slavery men were most distasteful. He probably thought the bill would do more to increase than allay agitation at the North. Walter Scott, when the prince regent toasted him as the author of "Waverley," feeling that even royal highness had no right in a numerous company to tear away the long kept and valuable secrecy of "the great Unknown," rose and gravely said to his host: "Sire, I am not the author of 'Waverley.'" There were, he thought, questions which did not entitle the questioner to be told the truth. So Van Buren may have thought there were political interrogations which, being made for sheer party purposes, might rightfully be answered for like purposes. Since the necessity for his vote was contrived to injure him and not to help or hurt the bill, he probably felt justified so to vote as best to frustrate the design against him. This persuasive casuistry usually overcomes a candidate for great office in the stress of conflict. But lenient as may be the judgment of party supporters, and distressing as may seem the necessity, the untruth pretty surely returns to plague the statesman. Van Buren never deserved to be called a "Northern man with Southern principles." But this vote came nearer to an excuse for the epithet than did any other act of his career.

The election proved how large was the Southern defection. Georgia and Tennessee, which had been almost unanimous for Jackson in 1836, now voted for White. Mississippi, where in that year there had been no opposition, and Louisiana, where Jackson had eight votes to Clay's five, now gave Van Buren majorities of but three hundred each. In North Carolina Jackson had had 24,862 votes, and Clay only 4563; White got 23,626 to 26,910 for Van Buren. In Virginia Jackson had three times the vote of Clay; Van Buren had but one fourth more votes than White. In Benton's own State, so nearly unanimous for Jackson, White had over 7000 to Van Buren's 11,000. But in the Northeast Van Buren was very strong. Jackson's majority in Maine of 6087 became a majority of 7751 for Van Buren. New Hampshire, the home of Hill and Woodbury, had given Jackson a majority of 6376; it gave Van Buren over 12,000. The Democratic majority in New York rose from less than 14,000 to more than 28,000, and this majority was rural and not urban. The majority in New York city was but about 1000. Of the fifty-six counties, Van Buren carried forty-two, while nowadays his political successors rarely carry more than twenty. Connecticut had given a majority of 6000 for Clay; it gave Van Buren over 500. Rhode Island had voted for Clay; it now voted for Van Buren. Massachusetts was carried for Webster by 42,247 against 34,474 for Van Buren; Clay had had 33,003 to only 14,545 for Jackson. But New Jersey shifted from Jackson to Harrison, although a very close

State at both elections; and in Pennsylvania, Ohio, Indiana, and Illinois, Van Buren fell far behind Jackson. The popular vote, omitting South Carolina, where the legislature chose the electors, was as follows: —

	New England.	Middle States.	South.	West.	Total.
Van Buren . .	112,480	310,203	141,942	198,053	762,678
Harrison, White, and Webster .	106,169	282,376	138,059	209,046	735,650

The electoral votes were thus divided:

	New England	Middle States.	South.	West.	Total.
Van Buren . .	29	72	57	12	170
Harrison . . .	7	21	—	45	73
Webster . . .	14	—	—	—	14
White	—	—	26	—	26

Van Buren thus came to the presidency supported by the great Middle States and New England against the West, with the South divided. Omitting the uncontested reëlection of Monroe in 1820, and the almost uncontested reëlection of Jefferson in 1804, Van Buren was the first Democratic candidate for president who carried New England. He had there a clear majority in both the electoral and the popular vote. Nor has any Democrat since Van Buren obtained a majority of the popular vote in that strongly thinking and strongly prejudiced community. Pierce, against the feeble Whig candidacy of Scott, carried its electoral vote in 1852, but by a minority of its popular vote, and only because of the large Free Soil vote for Hale. No other Democrat since 1852 has had any electoral vote from New England outside of Connecticut. Virginia refused its vote to Johnson, who, in the failure of either candidate to receive a majority of the electoral vote, was chosen vice-president by the Senate.

When the electoral votes were formally counted before the houses of Congress, the result, so contemporary record informs us, was "received with perfect decorum by the House and galleries." Enthusiasm was going out with Jackson, to come back again with Harrison. Van Buren's election was the success of intellectual convictions, and not the triumph of sentiment. He had come to power, as "the House and galleries" well knew, in "perfect decorum." Not a single one of the generous but sometimes cheap and fruitless rushes of feeling occasionally so potent in politics had helped him to the White House. Not that he was ungenerous or lacking in feeling. Very far from it; few men have inspired so steady and deep a political attachment among men of strong character and patriotic aspirations. But neither in his person nor in his speech or conduct was there anything of the strong picturesqueness which impresses masses of men, who must be touched, if at all, by momentary glimpses of great men or by vivid phrases which become current about them. His election was no more than a triumph of disciplined good sense and political wisdom.

CHAPTER VIII

CRISIS OF 1837

On March 4, 1837, Jackson and Van Buren rode together from the White House to the Capitol in a "beautiful phaëton" made from the timber of the old frigate Constitution, the gift to the general from the Democrats of New York city. He was the third and last president who has, after serving through his term, left office amid the same enthusiasm which attended him when he entered it, and to whom the surrender of place has not been full of those pangs which attend sudden loss of power, and of which the certain anticipation ought to moderate ambition in a country so rarely permitting a long and continuous public career. Washington, amid an almost unanimous love and reverence, left a station of which he was unaffectedly weary; and he was greater out of office than in it. Jefferson and Jackson remained really powerful characters. Neither at Monticello nor at the Hermitage, after their masters had returned, was there any lack of the incense of sincere popular flattery or of the appeals for the exercise of admitted and enormous influence, in which lies much of the unspeakable fascination of a great public station.

Leaving the White House under a still and brilliant sky, the retiring and incoming rulers had such a popular and military attendance as without much order or splendor has usually gone up Capitol Hill with our presidents. Van Buren's inaugural speech was heard, it is said, by nearly twenty thousand persons; for he read it with remarkable distinctness and in a quiet air, from the historic eastern portico. He returned from the inauguration to his private residence; and with a fine deference insisted upon Jackson remaining in the White House until his departure, a few days later, for Tennessee. Van Buren in his own carriage took Jackson to the terminus of the new railway upon which the journey home was to begin. He bade the old man a most affectionate farewell, and promised to visit him at the Hermitage in the summer.

The new cabinet, with a single exception, was the same as Jackson's: John Forsyth of Georgia, secretary of state; Levi Woodbury of New Hampshire, secretary of the treasury; Mahlon Dickerson of New Jersey, secretary of the navy; Kendall, postmaster-general; and Butler, attorney-general. Joel R. Poinsett, a strong union man among the nullifiers of South Carolina, became secretary of war. Cass had left this place in 1836 to be minister to France, and Butler had since temporarily filled it, as well as his own post of attorney-general. The cabinet had indeed been largely Van Buren's, two years and more before he was president.

Van Buren's inaugural address began again with the favorite touch of humility, but it now had an agreeable dignity. He was, he said, the first president born after the Revolution; he belonged to a later age than his illustrious predecessors. Nor ought he to expect his countrymen to weigh his actions with the same kind and partial hand which they had used towards worthies of Revolutionary times. But he piously looked for the sustaining support of Providence, and the kindness of a people who had never yet deserted a public servant honestly laboring in their cause. There was the usual congratulation upon American institutions and history. We were, he said, — and the boast though not so delightful to the taste of a later time was perfectly true, — without a parallel throughout the world "in all the attributes of a great, happy, and flourishing people." Though we restrained government to the "sole legitimate end of political institutions," we reached the Benthamite "greatest happiness of the greatest number," and presented "an aggregate of human prosperity surely not elsewhere to be found." We must, by observing the limitations of government, perpetuate a condition of things so singularly happy. Popular government, whose failure had fifty years ago been boldly predicted, had now been found "wanting in no element of endurance or strength." His policy should be "a strict adherence to the letter and spirit of the constitution . . . viewing it as limited to national objects, regarding it as leaving to the people and the States all power not explicitly parted with." Upon one question he spoke precisely. For the first time slavery loomed up in the inaugural of an American president. It seemed, however, at once to disappear from politics in the practically unanimous condemnation of the abolition agitation, an agitation which, though carried on for the noblest purposes, seemed — for such is the march of human rights — insane and iniquitous to most patriotic and intelligent citizens. Van Buren quoted the explicit declaration made by him before the election against the abolition of slavery in the District of Columbia without the consent of the slave States, and against "the slightest interference with it in the States where it exists." Not a word was said of the extension of slavery in the Territories. That question still slept under the potion of the Missouri Compromise, to wake with the acquisition of Texas. In Van Buren's declaration there was nothing in the slightest degree inconsistent even with the Republican platforms of 1856 and 1860.

The inaugural concluded with a fine tribute to Jackson. "I know," Van Buren said, "that I cannot expect to perform the arduous task with equal ability and success. But united as I have been in his counsels, a daily witness of his exclusive and unsurpassed devotion to his country's welfare, agreeing with him in sentiments which his countrymen have warmly supported, and permitted to partake largely of his confidence, I may hope that somewhat of the same cheering approbation will be found to attend upon my path. For him

I but express, with my own, the wishes of all, that he may yet long live to enjoy the brilliant evening of his well-spent life."

The lucid optimism of the speech was in perfect temper with this one of those shining and mellow days, which even March now and then brings to Washington. But there was latent in the atmosphere a storm, carrying with it a furious and complete devastation. In the month before the inauguration, Benton, upon whom Van Buren was pressing a seat in the cabinet, told the President-elect that they were on the eve of an explosion of the paper-money system. But the latter offended Benton by saying: "Your friends think you a little exalted in the head on the subject." And doubtless the prophecies of the Bank opponents had been somewhat discredited by the delay of the disaster which was to justify their denunciations. The profoundly thrilling and hidden delight which comes with the first taste of supreme power, even to the experienced and battered man of affairs, had been enjoyed by Van Buren only a few days, when the air grew heavy about him, and then perturbed, and then violently agitated, until in two months broke fiercely and beyond all restraint the most terrific of commercial convulsions in the United States. Since Washington began the experiment of our federal government amid the sullen doubts of extreme Federalists and extreme Democrats, no president, save only Abraham Lincoln, has had to face at the outset of his presidency so appalling a political situation.

The causes of the panic of 1837 lay far deeper than in the complex processes of banking or in the faults of federal administration of the finances. But, as a man suddenly ill prefers to find for his ailment some recent and obvious cause, and is not convinced by even a long and dangerous sickness that its origin lay in old and continued habits of life, so the greater part of the American people and of their leaders believed this extraordinary crisis to be the result of financial blunders of Jackson's administration. They believed that Van Buren could with a few strokes of his pen repair, if he pleased, those blunders, and restore commercial confidence and prosperity. The panic of 1837 became, and has very largely remained, the subject of political and partisan differences, which obscure its real phenomena and causes. The far-seeing and patriotic intrepidity with which Van Buren met its almost overwhelming difficulties is really the crown of his political career. Fairly to appreciate the service he then rendered his country, the causes of this famous crisis must be attentively considered.

In 1819 the United States suffered from commercial and financial derangement, which may be assumed to have been the effect of the second war with Great Britain. The enormous waste of a great war carried on by a highly organized nation is apt not to become obvious in general business distress until some time after the war has ended. A buoyant extravagance in living and in commercial and manufacturing ventures will continue after a peace has brought its extraordinary promises, upon the faith of which, and in joyful ignorance, the evil and inevitable day is postponed. All this was seen later and on a vaster scale from 1865 to 1873. In 1821 the country had quite recovered from its depression; and from this time on to near the end of Jackson's administration the United States saw a material prosperity, doubtless greater than any before known. The exuberant outburst of John Quincy Adams's message of 1827, — that the productions of our soil, the exchanges of our commerce, the vivifying labors of human industry, had combined "to mingle in our cup a portion of enjoyment as large and liberal as the indulgence of Heaven has perhaps ever granted to the imperfect state of man upon earth," — was in the usual tone of the public utterances of our presidents from 1821 to 1837. Our harvests were always great. We were a chosen people delighting in reminders from our rulers of our prosperity, and not restless under their pious urgency of perennial gratitude to Providence. In 1821 the national debt had slightly increased, reaching upwards of $90,000,000; but from that time its steady and rapid payment went on until it was all discharged in 1834. Our cities grew. Our population stretched eagerly out into the rich Mississippi valley. From a population of ten millions in 1821, we reached sixteen millions in 1837. New York from about 1,400,000 became 2,200,000; and Pennsylvania from about 1,000,000 became 1,600,000. But the amazing growth was at the West — Illinois from 60,000 to 400,000, Indiana from 170,000 to 600,000, Ohio from 600,000 to 1,400,000, Tennessee from 450,000 to 800,000. Missouri had increased her 70,000 five-fold; Mississippi her 80,000 four-fold; Michigan her 10,000 twenty-fold. Iowa and Wisconsin were entirely unsettled in 1821; in 1837 the fertile lands of the former maintained nearly forty thousand and of the latter nearly thirty thousand hardy citizens. New towns and cities rose with magical rapidity. With much that was unlovely there was also exhibited an amazing energy and capacity for increase in wealth. The mountain barriers once passed, not only by adventurous pioneers but by the pressing throngs of settlers, there were few obstacles to the rapid creation of comfort and wealth. Nor in the Mississippi valley and the lands of the Northwest were the settlers met by the harsh soil, the hostilities and reluctance of nature in whose conquest upon the Atlantic seaboard the American people had gained some of their strongest and most enduring characteristics. We hardly realize indeed how much better it was for after times that our first settlements were difficult. In the easy opening and tillage of the rich and sometimes rank lands at the West there was an inferior, a less arduous discipline. American temper there rushed often to speculation, rather than to toil or venture. It did not seem necessary to create wealth by labor; the treasures lay ready for those first reaching the doors of the treasure house. To make easy the routes to El Dorado of prairies and river bottoms was the quickest way to wealth.

Roads, canals, river improvements, preceded, attended, followed these sudden settlements, this vast and jubilant movement of population. There was an extraordinary growth of "internal improvements." In his message of 1831, Jackson rejoiced at the high wages earned by laborers in the construction of these works, which he truly said were "extending with unprecedented rapidity." The constitutional power of the federal government to promote the improvements within the States became a serious question, because the improvements proposed were upon so vast a scale. No single interest had for fifteen years before 1837 held so large a part of American attention as did the making of canals and roads. The debates of Congress and legislatures, the messages of presidents and governors, were full of it. If the Erie Canal, finished in 1825, had rendered vast natural resources available, and had made its chief builder famous, why should not like schemes prosper further west? The success of railroads was already established; and there was indefinite promise in the extensions of them already planned. In 1830 twenty-three miles had been constructed; in 1831 ninety-four miles; and in 1836 the total construction had risen to 1273 miles.

The Americans were then a far more homogeneous people than they are to-day. The great Irish, German, and Scandinavian immigrations had not taken place. Our race diversities were, with exceptions, unimportant in extent or lost in the lapse of time, the diversities merely of British descendants. Nor were there the extremes of fortune or the diversities of occupation which have come with the growth of cities and manufacturing interests. The United States were still a nation of farmers. The compensations and balances, which in the varying habits and prejudices of a more varied population tend to restrain and neutralize vagaries, did not exist. One sentiment seized the whole nation far more readily than could happen in the complexity of our modern population and the diversity and rivalry of its strains. Not only did this homogeneity make Americans open to single impulses; but there was little essential difference of environment. They all, since the later days of Monroe's presidency, had lived in the atmosphere of official delight and congratulation over the past, and of unrestrained promise for the future. All, whether in the grain fields at the North or the cotton fields at the South, had behind them the Atlantic with traditions or experiences of poverty and oppression beyond it. Every American had, in his own latitude, since the ampler opening of roads and waterways, and the peaceful conquest of the Appalachian mountain ranges, seen to the west of him fertility and promise and performance. And the fertility and promise had, since the second English war, been no longer in a land of hardship and adventure remote and almost foreign to the seaboard. Every American under Jackson's administration had before him, as the one universal experience of those who had taken lands at the West, an enormous and certain increase of value, full of enchantment to those lately tilling the flinty soil of New England or the overused fields of the South. If new lands at the West could be made accessible by internal improvements, the succession of seed time and harvest had for a dozen years seemed no more certain than that the value of those lands would at once increase prodigiously. So the American people with one consent gave themselves to an amazing extravagance of land speculation. The Eden which Martin Chuzzlewit saw in later malarial decay was to be found in the new country on almost every stream to the east of the Mississippi and on many streams west of it, where flatboats could be floated. Frauds there doubtless were; but they were incidental to the honest delusion of intelligent men inspired by the most extraordinary growth the world had seen. The often quoted illustration of Mobile, the valuation of whose real estate rose from $1,294,810 in 1831 to $27,482,961 in 1837, to sink again in 1846 to $8,638,250, not unfairly tells the story. In Pensacola, lots which to-day are worth $50 each were sold for as much as lots on Fifth Avenue in New York, which to-day are worth $100,000 apiece. Real estate in the latter city was assessed in 1836 at more than it was in the greatly larger and richer city of fifteen years later. From 1830 to 1837 the steamboat tonnage on the Western rivers rose from 63,053 to 253,661. From 1833 to 1837 the cotton crop of the newer slave States, Tennessee, Alabama, Mississippi, Louisiana, Arkansas and Florida, increased from 536,450 to 916,960 bales, while the price with fluctuations rose from ten to twenty cents a pound. Foreign capital naturally enough came to share in the splendid money-making. From 1821 to 1833 the annual import of specie from England had averaged about $100,000, in the last year being only $31,903; but in 1834 it became $5,716,253, in 1835 $914,958, and in 1836 $2,322,920, the entire export to England of specie for all these three years being but $51,807, while the average export from 1822 to 1830 had been about $400,000; and its amount in 1831 had been $2,089,766, and in 1832 $1,730,571. From 1830 to 1837, both years inclusive, although the imports from all countries of general merchandise exceeded the exports by $140,700,000, there was no counter movement of specie. The imports of specie from all countries during these years exceeded the exports by the comparatively enormous sum of $44,700,000. The foreigners therefore took pay for their goods, not only in our raw materials, but also in our investments or rather our speculations, and sent these vast quantities of moneys besides. So our good fortune fired the imaginations of even the dull Europeans. They helped to feed and clothe us that we might experiment with Aladdin's lamp.

The price of public lands was fixed by law at $1.25 an acre; and they were open to any purchaser, without the wholesome limits of acreage and the restraint to actual settlers which were afterwards established. Here then was a commodity whose price to wholesale purchasers did not rise, and the very commodity by which so many fortunes had been made. In public lands, therefore, the fury of money-getting, the boastful confidence in the future of the country, reached their climax. From 1820 to 1829 the annual sales had averaged less than $1,300,000, in 1829 being $1,517,175. But in 1830 they exceeded $2,300,000, in 1831 $3,200,000, in 1832 $2,600,000, in 1833 $3,900,000, and in 1834 $4,800,000. In 1835 they suddenly mounted to $14,757,600, and in 1836 to $24,877,179. In his messages of 1829 and 1830 Jackson not unreasonably treated the moderate increase in the sales as a proof of increasing prosperity. In 1831 his congratulations were hushed; but in 1835 he again fancied, even in the abnormal sales of that year, only an ampler proof of ampler prosperity. In 1836 he at last saw that tremendous speculation was the true significance of the enormous increase. Prices of course went up. Everybody thought himself richer and his labor worth more. A week after Van Buren's inauguration a meeting was held in the City Hall Park in New York to protest against high rents and the high prices of provisions; and with much discernment the cry went up, "No rag money; give us gold and silver!"

There is no longer dispute that the prostration of business in 1837, and for several years afterward, was the perfectly natural result of the speculation which had gone before. The absurd denunciations of Van Buren by the most eminent of the Whigs for not ending the crisis by governmental interference are no longer respected. But it is still fancied that the speculation itself was caused by one financial blunder, and the crisis immediately occasioned by another financial blunder, of Jackson. It is not improbable that the deposits of treasury moneys in fifty state banks[1] instead of in the United States Bank and its twenty and more branches, which began in the fall of 1833, aided the tendency to speculation. But this aid was at the most a slight matter. The impression has been sedulously created that these state banks, the "pet banks," were doubtful institutions. There seems little reason to doubt that in general they were perfectly sound and reputable institutions, with which the government moneys would be quite as safe as with the United States Bank. It is clear that if the latter Bank were not to be rechartered, the deposits should, without regard to the accusations of political meddling brought against it, have been removed some time in advance of its death in March, 1836. At best it is matter of doubtful speculation whether the United States Bank under Biddle's direction would, in 1834, 1835, and 1836, while the government deposits were enormously increasing, have behaved with much greater prudence and foresight than did the state deposit banks. So far as actual experience helps us, the doubt might well be solved in the negative. The United States Bank, when its federal charter lapsed, obtained a charter from Pennsylvania, continuing under the same management; and is said, and possibly with truth, to have entered upon its new career with a great surplus. But it proved no stronger than the state banks in 1837; it obstructed resumption in 1838; it suspended again in 1839, while the Eastern banks stood firm; and in 1841 it went to pieces in disgraceful and complete disaster.

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[1] The Treasurer's statement for August, 1837, gave eighty-four deposit banks. But of these, nine had less than $5000 each on deposit, six from $5000 to $10,000, and eight from $10,000 to $20,000. Fourteen had from $50,000 to $100,000 each. Only twenty-nine had more than $100,000 each. It is not unfair to speak of the deposits as being substantially in fifty banks.

The enormous land sales at the Southwest had placed a most disproportionate amount of money in banks in that part of the country. John Quincy Adams seemed, but with little reason, to consider this an intentional discrimination against the North. It is quite probable that, if the deposits had been in one national bank the peculiarly excessive strain at that point would have been modified. But this was no great factor in the crisis.

The enormous extension of bank credits during the three years before the break-down in 1837 was rather the symptom than the cause of the disease. The fever of speculation was in the veins of the community before "kiting" began. Bank officers dwelt in the same atmosphere as did other Americans, and their sanguine extravagance in turn stimulated the universal temper of speculation.

When the United States Bank lost the government deposits, late in 1833, they amounted to a little less than $10,000,000. On January 1, 1835, more than a year after the state banks took the deposits, they had increased to a little more than $10,000,000. But the public debt being then paid and the outgo of money thus checked, the deposits had by January 1, 1836, reached $25,000,000, and by June 1, 1836, $41,500,000. This enormous advance represented the sudden increase in the sales of public lands, which were paid for in bank paper, which in turn formed the bulk of the government deposits. The deposits were with only a small part of the six hundred and more state banks then in existence. But the increase in the sales of public lands was the result of all the organic causes and of all the long train of events which had seated the fever of speculation so profoundly in the American character of the day. To those causes and events must ultimately be ascribed the extension of bank credits so far as it immediately arose out of the increase of government deposits. Nor is there any sufficient reason to suppose that if the deposits, instead of being in fifty state banks, had remained in the United States Bank and its branches, the tendency to speculation would have been less. The influences which surrounded that Bank were the very influences most completely subject to the popular mania.

But the increase of government deposits was only fuel added to the flames. The craze for banks and credits was unbounded before the removal of the deposits had taken place, and before their great increase could have had serious effect. Between 1830 and January 1, 1834, the banking capital of the United States had risen from $61,000,000 to about $200,000,000; the loans and discounts of the banks from $200,000,000 to $324,000,000; and their note circulation from $61,000,000 to $95,000,000. The increase from January 1, 1834, to January 1, 1836, was even more rapid, the banking capital advancing in the two years to $251,000,000, the loans and discounts to $457,000,000, and the note circulation to $140,000,000. But there was certainty of disaster in the abnormal growth from 1830 to 1834. The insanity of speculation was in ample though unobserved control of the country while Nicholas Biddle still controlled the deposits, and was certain to reach a climax whether they stayed with him or went elsewhere.

It is difficult rightly to apportion among the statesmen and politicians of the time so much of blame for the mania of speculation as must go to that body of men. They had all drunk in the national intoxication over American success and growth. But if we pass from the greater and deeper causes to the lesser though more obvious ones, it is impossible not to visit the greater measure of blame upon the statesmen who resisted reduction of taxation, which would have left money in the pockets of those who earned it, and not collected it in one great bank with many branches or in fifty lesser banks; upon the statesmen who insisted that the government ought to aid commercial ventures by encouraging the loans to traders of its own moneys held in the deposit banks; upon the statesmen who promoted the dangerous scheme of distributing the surplus among the States instead of abolishing the surplus. As the condemnation of public men in the wrong must be proportioned somewhat to the distinction of their positions and the greatness of their natural gifts, this larger share of blame must go chiefly to Daniel Webster and Henry Clay. At the head of their associates, they had resisted the reduction of taxation. In his speech on the tariff bill of 1832 Clay said, with the exuberance so delightful to minds of easy discipline, that our resources should "not be hoarded and hugged with a miser's embrace, but liberally used." They insisted upon freely lending the public moneys. In his speech on the distribution of the surplus, Webster urged that the number of the deposit banks "be so far increased that each may regard that portion of the public treasure which it may receive as an increase of its effective deposits, to be used, like other moneys in deposit, as a basis of discount, to a just and proper extent." The public money was locked up, he declared, instead of aiding the general business of the country. Nor after this was he ashamed in 1838 to condemn Jackson's secretary of the treasury for advising the new deposit banks, as he had himself thus advised them, "to afford increased facilities to commerce." If, indeed, Congress would not take steps to keep a government surplus out of the banks and in the pockets of producers, the secretary ought not to have been harshly judged for advising that the money go out into commerce rather than lie in bank vaults.

The distribution of the surplus among the States by the law of 1836 was the last and in some respects the worst of the measures which aided and exaggerated the tendency to speculation. By this bill, all the money above $5,000,000 in the treasury on January 1, 1837, was to be "deposited" with the States in four quarterly installments commencing on that day. According to the law the "deposit" was but a loan to the States; but, as Clay declared, not "a single member of either House imagined that a dollar would ever be recalled." It was in truth a mere gift. Clay's triumphant ridicule of the opposition to this measure has already been mentioned. Webster in sounding periods declared his "deep and earnest conviction" of the propriety of the stupendous folly. He did not, indeed, defend the general system of making the federal government a tax-gatherer for the States. But this one distribution would, he said in his speech of May 31, 1836, "remove that severe and almost unparalleled pressure for money which is now distressing and breaking down the industry, the enterprise, and even the courage of the commercial community." The Whig press declared that a congressman who could for mere party reasons vote against a measure which would bring so much money into his State, must be "far gone in political hardihood as well as depravity;" and that "to the Republican-Whig party alone are the States indebted for the benefits arising from the distribution." William H. Seward, two years before and two years later the Whig candidate for governor of New York, said the proposal was "noble and just." The measure passed the Senate with six Democratic votes against it, among them the vote of Silas Wright, then probably closer than any other senator to Van Buren. Jackson yielded to the bill what in his message in December of the same year he called "a reluctant approval." He then gave at length very clear reasons for his reluctance, but none for his approval. He declared that "improvident expenditure of money is the parent of profligacy," and that no intelligent and virtuous community would consent to raise a surplus for the mere purpose of dividing it. In his first message, indeed, Jackson had called the distribution among the States "the most safe, just, and federal disposition" of the surplus. But his views upon this, as upon other subjects, had changed during the composition of the Democratic creed which went on during the early years of his administration. His second message rehearsed at length the objections to the distribution, though affecting to meet them. In his third message he recommended the abolition of unnecessary taxation, not the distribution of its proceeds; and in 1832 he made his explicit declaration that duties should be "reduced to the revenue standard." Benton says it was understood that in 1836 some of Van Buren's friends urged Jackson to approve the bill, lest a veto of so popular a measure might bring a Democratic defeat. There must have been some reason unrelated to the merit of the measure. But whatever the opinions of Van Buren's friends, he took care before the election to make known unequivocally, in the Sherrod Williams letter already quoted, his dislike of this piece of demagogy. From the passage of the deposit bill in June, 1836, until the crash in 1837, this superb donation of thirty-seven millions was before the enraptured and deluded vision of the country. Over nine millions a quarter to be poured into "improvements" or loaned to the needy, — what a delightful prospect to citizens harassed by the restraints of prudent, fruitful industry! The lesson is striking and wholesome, and ought not to be forgotten, that it was when the land was in the very midst of these largesses that the universal bankruptcy set in.

During 1835 and 1836 there were omens of the coming storm. Some perceived the rabid character of the speculative fever. William L. Marcy, governor of New York, in his message of January, 1836, answering the dipsomaniac cry for more banks, declared that an unregulated spirit of speculation had taken capital out of the State; but that the amount so transferred bore no comparison to the enormous speculations in stocks and in real property within the State. Lands near the cities and villages of the State had risen several hundred per cent. in value, and were sold, not to be occupied by the buyers, but to be sold again at higher prices. The passion for speculation prevailed to an extent before unknown, not only among capitalists, but among merchants, who abstracted capital from their business for land and stock speculations and then resorted to the banks. The warning was treated contemptuously; but before the year was out the federal administration also became anxious, and the increase in land sales no longer signified to Jackson an increasing prosperity. The master hand which drew the economic disquisition in his message of 1836 pointed to these sales as the effects of the extension of bank credit and of the over-issue of bank paper. The banks, it was declared, had lent their notes as "mere instruments to transfer to speculators the most valuable public land, and pay the government by a credit on the books of the banks." Each speculation had furnished means for another. No sooner had one purchaser paid his debt in the notes than they were lent to another for a like purpose. The banks had extended their business and their issues so largely as to alarm considerate men. The spirit of expansion and speculation had not been confined to deposit banks, but had pervaded the whole multitude of banks throughout the Union, and had given rise to new institutions to aggravate the evil. So Jackson proceeded with his sound defense of the famous specie circular, long and even still denounced as the *causa causans* of the crisis of 1837.

By this circular, issued on July 11, 1836, the secretary of the treasury had required payment for public lands to be made in specie, with an exception until December 15, 1836, in favor of actual settlers and actual residents of the State in which the lands were sold. The enormous sales of land in this year, and the large payments required for them under the circular, at once made the banks realize that there ought to be an actual physical basis for their paper transactions. Gold was called from the East to the banks at the West to make the land payments. Into the happy exaltation of unreal transactions was now plunged that harsh demand for real value which sooner or later must always come. The demand was passed on from one to another, and its magnitude and peremptoriness grew rapidly. The difference between paper and gold became plainer and plainer. Nature's vital and often hidden truth that value depends upon labor could no longer be kept secret by a few wise men. The suspicion soon arose that there was not real and available value to meet the demands of nominal value. The suspicion was soon bruited among the less as well as the more wary. Every man rushed to his bank or his debtor, crying, "Pay me in value, not in promises to pay; there is, I at last see, a difference between them." But the banks and debtors had no available value, but only its paper semblances. Every man found that what he wanted, his neighbors did not have to give him, and what he had, his neighbors did not want.

This is hardly an appropriate place to attempt an analysis of the elements of a commercial crisis. But it is not possible rightly to estimate Van Buren's moral courage and keen-sighted wisdom in meeting the terrible pressure of 1837 without appreciating what it was which had really happened. The din of the disputes over the refusal to recharter the bank, over the removal of the deposits, over the refusal to pay the last installment of the distribution among the States, and over the specie circular, resounds even to our own time. To many the crisis seemed merely a financial or even a great banking episode. Many friends of the administration loudly cried that the disaster arose from the treachery of the banks in suspending. Many of its enemies saw only the normal fruit of administrative blunders, first in recklessness, and last in heartless indifference. To most Americans, whatever their differences, the explanation of this profound and lasting disturbance seemed to lie in the machinery of finance, rather than in the deeper facts of the physical wealth and power of the trading classes.

Speculation is sometimes said to be universal; and it was never nearer universality than from 1830 to 1837. But speculation affects after all but a small part of the community, — the part engaged in trade, venture, new settlement or new manufacture; those classes of men the form of whose work is not established by tradition, but is changing and improving under the spur of ingenuity and invention, and with whom imagination is most powerful and fruitful. These men use the surplus resources of the vastly greater number who go on through periods of high prices and of low prices with their steady toil and unvaried production. In our country and in all industrial communities it is to the former comparatively small class that chiefly and characteristically belong "good times" and "bad times," panics and crises and depressions. It is this class which in newspapers and financial reviews becomes "the country." It chiefly supports the more influential of the clergy, the lawyers, the editors, and others of the professional classes. It deals with the new uses and the accumulations of wealth; it almost monopolizes public attention; it is chiefly and conspicuously identified with industrial and commercial changes and progress. But if great depressions were as nearly universal as the rhetoric of economists and historians would literally signify, our ancestors fifty years ago must have experienced a devastation such as Alaric is said to have brought to the fields of Lombardy. But this was not so. The processes of general production went on; the land was tilled; the farmer's work of the year brought about the same amount of comfort; the ordinary mechanic was not much worse off. If some keen observer from another planet had in 1835 and again later in 1837 looked into the dining-rooms and kitchens and parlors of America, had seen its citizens with their families going to church of a Sunday morning, or watched the tea-parties of their wives, or if he had looked over the fields and into the shops, there would have seemed to him but slight difference between the two years in the occupations, the industry, or the comfort of the people. But if he had stopped looking and begun to listen, he would in 1837 at once have perceived a tremendous change. The great masses of producing men would have been mute, as they usually are. But the capitalists, the traders, the manufacturers, all whose skill, courage, imagination, and adventure made them the leaders of progress, and whose voices were the only loud, clear, intelligible voices, until there arose the modern organizations of laboring men, — all those who in 1835 were flushed and glorious with a royal money-getting, — he would now have heard crying in frenzy and desperation. It is not meant to disparage the importance of this smaller but louder body of men, or to underrate the disaster which they suffered. In proportion to their numbers, they were vastly the most important part of the community. If they were prostrated, there must not only suffer the body of clerks, operatives, and laborers immediately engaged in their enterprises, and who may for economical purposes be ranked with them; but later on, the masses of the community must to a real extent feel the interruption of progress which has overtaken that section of the community to which are committed the characteristic operations of material progress; and whether through the fault or the misfortune of that section, the injury is alike serious. A wise ruler, in touching the finances of his country, will forget none of this. He will look through all the agitation of bankers and traders and manufacturers, the well-voiced leaders of the richer classes of men, to the far vaster processes of industry carried on by men who are silent, and whose silent industry will go on whatever devices of currency or banking may be adopted. This wisdom Van Buren now showed in an exalted degree.

The disaster which in 1837 overtook so large and so important a part of the community was, in its ultimate nature, not difficult to comprehend.

There had not been one equal and universal increase in nominal values. Such an increase would not have produced the crisis. But while the great mass of the national industry went on in channels and with methods and rates substantially undisturbed, there took place an enormous and speculative advance of prices in the cities where were carried on the operations of important traders and the promoters of enterprises, and in the very new country where these enterprises found their material. When a new canal or road was built, or a new line of river steamers launched and an unsettled country made accessible, several things inevitably happened in the temper produced by the jubilant observation of the past. There was not only drawn from the ordinary industry of the country the wealth necessary to build the canal or road or steamers; but the country thus rendered accessible seemed suddenly to gain a value measured by the best results of former settlements, however exceptional, and by the most sanguine hopes for the future. The owners of the prairies and woods and river bottoms became suddenly rich, as a miner in Idaho becomes rich when he strikes a true fissure vein. The owners of the canal or road or line of steamers found their real investment at once multiplied in dollars by the value of the country whose trade they were to enjoy; for, new as that value was, it seemed assured. Like investments were made in banks, and in every implement of direct or indirect use in the conduct of industries which seemed to belong as a necessity to the new value of the land. The numerous sales of lands and of stocks in roads or canals or banks at rapidly advancing prices did not alter the nature, although they vastly augmented the effect, of what was happening. The so-called "business classes" throughout the country, related as they quickly became, under the great impetus of the national hopefulness and vanity, to the new lands, to the new cities and towns and farms, and to the means of reaching them and of providing them with the necessities and comforts of civilization, found their wealth rapidly and largely increasing. Then naturally enough followed the spending of money in personal luxury. This meant the withdrawal of labor in the older part of the country from productive work, for which the country was fitted, to work which, whether suitable or not, was unproductive. The unproductive labor was paid, as the employers supposed, from the new value lately created at the West. So capital, that is, accumulated labor, was first spent in improvements in the new country. and then, and probably in a far greater amount, spent in more costly food, clothes, equipage, and other luxuries in the older country. The successive sales at advancing prices simply increased the sense of new wealth, and augmented more and more this destructive consumption of the products of labor, or the destructive diversion of labor from productive to unproductive activity at the East by the well-to-do classes.

On the eve of the panic the new wealth, whose seeming possession apparently justified this destructive consumption or diversion to luxury of physical value, was primarily represented by titles to lands, stocks in land, canal, turnpike, railroad, transportation, or banking companies, and the notes issued by banks or traders or speculators. The value of these stocks and notes depended upon the fruitfulness of the lands or canals or roads or steamboat lines. Prices of many commodities had, indeed, been enhanced by speculation beyond all proper relation to other commodities, measured by the ultimate standard of the quantity and quality of labor. But important as was this element, it was subordinate to the apparent creation of wealth at the West.

Before the panic broke, it began to appear that mere surveys of wild tracts into lots made neither towns nor cities; that canals and roads and steamboats did not hew down trees or drain morasses or open the glebe. The basis of the operations of capitalists and promoters and venturers in new fields, if those operations were to have real success, must lie in the masses of strong and skillful arms of men of labor. The operations were fruitless until there came a population well sinewed and gladly ready for arduous toil. In 1836 and 1837 the operators found that there was no longer a population to give enduring life to their new operations. They had far outstripped all the immediate or even the nearly promised movements of settlers. Men, however hardy, preferred to work within an easier reach of the physical and social advantages of settlements already made, until they could see the superior fruitfulness of labor further on. The new cities and towns and farms and the means of reaching them would be mere paper assets until an army of settlers was ready to enter in and make them sources of actual physical wealth. But the army stopped far short of the new Edens and metropolises. There was no creation among them of the actual wealth, the return of physical labor, to make good and real the popular semblances of wealth, upon the faith of which in the older part of the country had arisen new methods of business and habits of living. The withdrawal of actual wealth from the multifarious treasuries of capital and industry, to meet the expense of the improvements at the West and the increased luxury at the East, had reached a point where the pressure caused by the deficiency of physical wealth was too great for the hopefulness or credulity of those who had been surrendering that wealth upon the promises of successful and opulent settlements at the West. Nor was all this confined to ventures in the new States. Almost every Eastern city had a suburb where with slight differences all the phenomena of speculation were as real and obvious as in Illinois or Mississippi.

Jackson's specie circular toppled over the house of cards, which at best could have stood but little longer. In place of bank-notes, which symbolized the expectations and hopes of the owners of new towns and improvements, the United States after July, 1836, required from all but actual settlers gold and silver for lands. An insignificant part of the sales had been lately made to settlers. They were chiefly made to speculators. The public lands, which sold invariably at $1.25 an acre, were enormously magnified in nominal value the instant the speculators owned them. Paper money was freely issued upon these estimates of value, to be again paid to the government for more lands at

$1.25. But now gold and silver must be found; and nothing but actual labor could find gold and silver. A further stream of true wealth was summoned from the East, already denuded, as it was, of all the surplus it had ready to be invested upon mere expectation. Enormous rates were now paid for real money. But of the real money necessary to make good the paper bubble promises of the speculators not one-tenth part really existed. Banks could neither make their debtors pay in gold and silver, nor pay their own notes in gold and silver. So they suspended.

The great and long concealed devastation of physical wealth and of the accumulation of legitimate labor, by premature improvements and costly personal living, became now quickly apparent. Fancied wealth sank out of sight. Paper symbols of new cities and towns, canals and roads, were not only without value, but they were now plainly seen to be so. Rich men became poor men. The prices of articles in which there had been speculation sank in the reaction far below their true value. The industrious and the prudent, who had given their labor and their real wealth for paper promises issued upon the credit of seemingly assured fortunes, suffered at once with men whose fortunes had never been anything better than the delusions of their hope and imagination.

It is now plain enough that to recover from this crisis was a work of physical reparation to which must go time, industry, and frugality. There was folly in every effort to retain and use as valuable assets the investments in companies and banks whose usefulness, if it had ever begun, was now ended. There was folly in every effort to conceal from the world by words of hopefulness the fact that the imagined values in new cities and garden lands had disappeared in a rude disenchantment as complete as that of Abou-Hassan in the Thousand and One Nights, or that of Sly, the tinker, left untold in the Taming of the Shrew. Their sites were no more than wild lands, whose value must wait the march of American progress, fast enough indeed to the rest of the world, but slow as the snail to the wild pacing of the speculators. Every pretense of a politician, whether in or out of the senate chamber, that the government could by devices of financiering avoid this necessity of long physical repair, was either folly or wickedness. And of this folly or even wickedness there was no lack in the anxious spring and summer of 1837.

There had already occurred in many quarters that misery which is borne by the humbler producers of wealth not for their own consumption, but simply for exchange, whose earnings are not increased to meet the inflation of prices upon which traders and speculators are accumulating apparent fortunes and spending them as if they were real On February 14, 1837, several thousand people met in front of the City Hall in New York under a call of men whom the "Commercial Advertiser" described as "Jackson Jacobins." The call was headed: "Bread, meat, rent, fuel! Their prices must come down!" It invited the presence of "all friends of humanity determined to resist monopolists and extortionists." A very respectable meeting about high prices had been held two or three weeks before at the Broadway Tabernacle. The meeting in the City Hall Park, with a mixture of wisdom and folly, urged the prohibition of bank-notes under $100, and called for gold and silver; and then denounced landlords and dealers in provisions. The excitement of the meeting was followed by a riot, in which a great flour warehouse was gutted. The rioters were chiefly foreigners and few in number; nor were the promoters of the meeting involved in the riot. The military were called out; and Eli Hart & Co., the unfortunate flour merchants, issued a card pointing out with grim truth "that the destruction of the article cannot have a tendency to reduce the price."

The distribution of the treasury surplus to the States precipitated the crash. The first quarter's payment of $9,367,000 was made on January 1, 1837. There was disturbance in taking this large sum of money from the deposit banks. Loans had to be called in, and the accommodation to business men lessened for the time. There was speculative disturbance in the receipt of the moneys by the state depositories. There was apprehension for the next payment on April 1, which was accomplished with still greater disturbance, and after the crisis had begun. The calls for gold and silver, begun under the specie circular, and the disturbances caused by these distributions, were increased by financial pressure in England, whose money aids to America were but partly shown by the shipments of gold and silver already mentioned. The extravagance of living had been shown in foreign importations for consumption in luxury, to meet which there had gone varied promises to pay, and securities whose true value depended upon the true and not the apparent creation of wealth in America. Before the middle of March the money excitement at Manchester was great; and to the United States alone, it was then declared, attention was directed for larger remittances and for specie. The merchants of Liverpool about the same time sent a memorial to the chancellor of the exchequer saying "that the distress of the mercantile interest is intense beyond example, and that it is rapidly extending to all ranks and conditions of the community, so as to threaten irretrievable ruin in all directions, involving the prudent with the imprudent." The "London Times" on April 10, 1837, said that great distress and pressure had been produced in every branch of national industry, and that the calamity had never been exceeded.

The cry was quickly reëchoed from America. Commercial failures began in New York about April 1. By April 8 nearly one hundred failures had occurred in that city, — five of foreign and exchange brokers, thirty of dry-goods jobbers, sixteen of commission houses, twenty-eight of real-estate speculators, eight of stock brokers, and several others. Three days later the failures had reached one hundred and twenty-eight. Provisions, wages, rents, everything, as the "New York Herald" on that day announced, were coming down. Within a few days more the failures were too numerous to be specially noticed; and before the end of the month the rest of the country was in a like condition. The prostration in the newer cotton States was peculiarly complete. Their staple was now down to ten cents a pound; within a year it had been worth twenty. All other staples fell enormously in price.

Later in April the merchants of New York met. Instead of condemning their own folly, they resolved, in a silly fury, that the disaster was due to government interference with the business and commercial operations of the country by requiring land to be paid for in specie instead of paper, to its destruction of the Bank, and to its substitution of a metallic for a credit currency. A committee of fifty, including Thomas Denny, Henry Parish, Elisha Riggs, and many others whose names are still honored in New York, was appointed to remonstrate with the president. "What constitutional or legal justification," it was seriously demanded, "can Martin Van Buren offer to the people of the United States for having brought upon them all their present difficulties?" The continuance of the specie circular, they said, was more high-handed tyranny than that which had cost

Charles I. his crown and his head. On May 3 the committee visited Washington and told the President that their real estate had depreciated forty millions, their stocks twenty millions, their immense amounts of merchandise in warehouses thirty per cent. They piteously said to him, "The noble city which we represent lies prostrate in despair, its credit blighted, its industry paralyzed, and without a hope beaming through the darkness, unless" — and here we might suppose they would have added, "unless Americans at once stop spending money which has not been earned, and repair the ruin by years of sensible industry and strict economy." But the conclusion of the merchants was that the darkness must continue unless relief came from Washington. It was unjust, they said, to attribute the evils to excessive development of mercantile enterprise; they flowed instead from "that unwise system which aimed at the substitution of a metallic for a paper currency." The error of their rulers "had produced a wider desolation than the pestilence which depopulated our streets, or the conflagration which laid them in ashes." In the opinion of these sapient gentlemen of business, it was the requirement that the United States, in selling Western lands to speculators, should be paid in real and not in nominal money, which had prostrated in despair the metropolis of the country. They asked for a withdrawal of the specie circular, for a suspension of government suits against importers on bonds given for duties, for an extra session of Congress to pass Clay's bill for the distribution of the land revenue among the States, and for the re-chartering of the Bank. Never did men out of their heads with fright propose more foolish attempts at relief than some of these. But the folly, as will be seen, seized statesmen of the widest experience as well as frenzied merchants. The President's answer was dignified, but "brief and explicit." To the insolent suggestion that Jackson's financial measures had been more destructive than fire or pestilence, he calmly reminded them that he had made fully known, before he was elected, his own approval of those measures; that knowing this the people had deliberately chosen him; and that he would still adhere to those measures. The specie circular should be neither repealed nor modified. Such indulgence in enforcing custom-house bonds would be allowed as the law permitted. The emergency did not, he thought, justify an extra session. Nicholas Biddle called on Van Buren; and many were disgusted that in the presence of this arch enemy the president remained "profoundly silent upon the great and interesting topics of the day."

Van Buren's resolution to face the storm without either the aid or the embarrassment of the early presence of Congress he was soon compelled to abandon. Within a few days of the return of the merchants to New York, that city sent the President an appalling reply. On May 10 its banks suspended payment of their notes in coin. A few days before some banks in lesser cities of the Southwest had stopped. On the day after the New York suspension, the banks of Philadelphia, Baltimore, Albany, Hartford, New Haven, and Providence followed. On the 12th the banks of Boston and Mobile, on the 13th those of New Orleans, and on the 17th those of Charleston and Cincinnati fell in the same crash. There was now simply a general bankruptcy. Men would no longer meet their promises to pay, because no longer could new paper promises pay off old ones. No longer would men surrender physical wealth safely in their hands for the expectation of wealth to be created by the future progress of the country. But men with perfectly real physical wealth in their storehouses, which they could not themselves use, were also in practical bankruptcy because of their commercial debts most prudently incurred. The natural exchange of their own goods for goods which they or their creditors might use was obstructed by the utter discredit of paper money, and by the almost complete disappearance of gold and silver. Extra sessions of state legislatures were called to devise relief. The banks' suspension of specie payment in New York was within a few days legalized by the legislature of that State. On May 12 the secretary of the treasury directed government collectors themselves to keep public moneys where the deposit banks had suspended.

For banks holding the public moneys sank witb the others. And it was this which compelled Van Buren in one matter to yield to the storm. On May 15 he issued a proclamation for an extra session of Congress to meet on the first Monday of September. It would meet, the proclamation said, to consider "great and weighty matters." No scheme of relief was suggested. The locking up of public moneys in suspended banks made necessary some relief to the government itself. It was, perhaps, well enough that excited and terrified people, casting about for a remedy, should, until their wits were somewhat restored, be soothed by assurance that the great council of the nation would, at any rate, discuss the situation. Moreover, it was wise to secure time, that most potent ally of the statesman. Within the three months and a half to elapse, Van Buren, like a wise ruler, thought the true nature of the calamity would become more apparent; proposals of remedies might be scrutinized; and thoughtless or superficial men might weary of their own absurd proposals, or the people might fully perceive their absurdity.

During the summer popular excitement ran very high against the administration. The Whig papers declared it to be "the melancholy truth, the awful truth," that the administration did nothing to relieve, but everything to distress the commercial community. Abbot Lawrence, one of the richest and most influential citizens of Boston, told a great meeting, on May 17, that there was no other people on the face of God's earth that were so abused, cheated, plundered, and trampled on by their rulers; that the government exacted impossibilities. No overt act, he said, with almost a sinister suggestion, ought to be committed until the laws of self-preservation compelled a forcible resistance; but the time might come when the crew must seize the ship. The friends of the administration sought, indeed, to stem the tide; and a series of skillfully devised popular gatherings was held, very probably inspired by Van Buren, who highly estimated such organized appeals to popular sentiment. In Philadelphia a great meeting denounced the bank suspensions and the issue of small notes as devices in the interest of a foreign conspiracy to throw silver coin out of circulation and export it to Europe, to raise the prices of necessaries, and recommence a course of gambling under the name of speculation and trade, in which the people must be the victims, and "the foreign and home desperadoes" the gainers. The meeting declared for a metallic currency. "We hereby pledge our lives, if necessary," they said, "for the support of the same." Later, on May 22, there was in the same city a large gathering at Independence Square, which solemnly called upon the administration "manfully, fearlessly, and at all hazards to go on collecting the public revenues and paying the public dues in gold and silver." Their forefathers, who fought for their liberties, the framers of our Constitution, the patriarchs whose memory they revered, were, with a funny mixture of truth and falsehood, declared to have been hard-money men. A week later, a great meeting in Baltimore approved the specie circular, and urged its fearless execution, "notwithstanding the senseless clamors of the British party;" for the crisis, they said, was "a struggle of the virtuous and industrious portions of the community against bank advocates and the enemies to good morals and republicanism." Protests were elsewhere made against forcing small notes into circulation. Paper had, however, to be used, for there was nothing else. Barter must go on, even upon the most flimsy tokens. In New York one saw, as were seen twenty-four years later, bits of paper like this: "The bearer will be entitled to fifty cents' value in refreshments at the Auction Hotel, 123 and 125 Water Street. New York, May, 1837. Charles Redabock." In Tallahassee a committee of citizens was appointed to print bank tickets for purposes of change. In Easton the currency had a more specific basis. One of the tokens read: "This ticket will hold good for a sheep's tongue, two crackers, and a glass of red-eye."

When Congress assembled, the country had cried itself, if not to sleep, at least to seeming quiet. The sun had not ceased to rise and set. Although merchants and bankers were prostrate with anxiety or even in irremediable ruin; although thousands of clerks and laborers were out of employment or earning absurdly low wages, — for near New York hundreds of laborers were rejected who applied for work at four dollars a month and board; although honest frontiersmen found themselves hopelessly isolated in a wilderness, — for the frontier had suddenly shrunk far behind them, — still the harvest had been good, the masses of men had been at work, and economy had prevailed. The desperation was over. But there was a profound melancholy, from which a recovery was to come only too soon to be lasting.

CHAPTER IX

PRESIDENT. — SUB-TREASURY BILL

VAN BUREN'S bearing in the crisis was admirable. Even those who have treated him with animosity or contempt do not here refuse him high praise. "In this one question," says Von Holst, "he really evinced courage, firmness, and statesmanlike insight. . . . Van Buren bore the storm bravely. He repelled all reproaches with decision, but with no bitterness. . . . Van Buren unquestionably merited well of the country, because he refused his coöperation, in accordance with the guardianship principle of the old absolutisms, to accustom the people of the Republic also to see the government enter as a saving *deus ex machina* in every calamity brought about by their own fault and folly. . . . Van Buren had won a brilliant victory and placed his countrymen under lasting obligations to him."[1]

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[1] I cannot refrain from noticing here the curious fact that Dr. Von Holst, after a contemptuous picture of Van Buren as a mere verbose, coarse-grained politician given to scheming and duplicity, was not surprised at his meeting in so lofty a spirit this really great trial. For surely here, if anywhere, the essential fibre of the man would be discovered. I must also express my regret that this writer, to whom Americans owe very much, should have been

Van Buren met the extra session with a message which marks the zenith of his political wisdom. It is one of the greatest of American state papers. With clear, unflinching, and unanswerable logic he faced the crisis. There was no effort to evade the questions put to him, or to divert public attention from the true issue. The government could not, he showed, help people earn their living; but it could refuse to aid the deception that paper was gold, and the delusion that value could arise without labor. The masterly argument seems long to a sauntering reader; but it treated a difficult question which had to be answered by the multitudes of a democracy many of whom were pinched and excited by personal distresses and anxiety and who were sure to read it. Few episodes in our political history give one more exalted appreciation of the

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content (although in this he has but joined some other historians of American politics) to accept mere campaign or partisan rumors which when directed against other men, have gone unnoticed, but against Van Buren have become the basis for emphatic disparagement and contumely. Even Mackenzie, the publisher of the purloined letters, writing his pamphlet with the most obvious and reckless venom, is quoted by this learned historian as respectable authority. Van Buren had refused during nearly a year to pardon Mackenzie from prison for his unlawful use of American territory to prepare armed raids on Canada. Sir Francis B. Head's opinion was doubtless somewhat colored; but he was not entirely without justification in applying to Mackenzie the words: "He lies out of every pore in his skin. Whether he be sleeping or waking, on foot or on horseback, together with his neighbors or writing for a newspaper, a multitudinous swarm of lies, visible, palpable, and tangible, are buzzing and settling about him like flies around a horse in August." (Narrative of Sir F. B. Head, London, 1839.)

good sense of the American masses, than that, in this stress of national suffering, a skillful politician should have appealed to them, not even sweetening the truth, but resisting with direct and painful sobriety their angry and natural impulses; this, too, when most of the talented and popular leaders were promoting, rather than reducing or diverting the heated folly of the time.

Van Buren quietly began by saying that the law required the secretary of the treasury to deposit public moneys only in banks that paid their notes in specie. All the banks had stopped such payment. It was obvious therefore that some other custody of public moneys must be provided, and it was for this that he had summoned Congress. He then began what was really an address to the people. He pointed out that the government had not caused, and that it could not cure, the profound commercial distemper. Antecedent causes had been stimulated by the enormous inflations of bank currency and other credits, and among them the many millions of foreign loans, and the lavish accommodations extended "by foreign dealers to our merchants." Thence had come the spirit of reckless speculation, and from that a foreign debt of more than thirty millions; the extension to traders in the interior of credits for supplies greatly beyond the wants of the people; the investment of thirty-nine and a half millions in unproductive public lands; the creation of debts to an almost countless amount for real estate in existing or anticipated cities and villages; the expenditure of immense sums in improvements ruinously improvident; the diversion to other pursuits of labor that should have gone to agriculture, so that this first of agricultural countries had imported two millions of dollars worth of grain in the first six months of 1837; and the rapid growth of luxurious habits founded too often on merely fancied wealth. These evils had been aggravated by the great loss of capital in the famous fire at New York in December, 1835, a loss whose effects, though real, were not at once apparent because of the shifting and postponement of the burdens through facilities of credit, by the disturbance which the transfers of public moneys in the distribution among the States caused, and by necessities of foreign creditors which made them seek to withdraw specie from the United States. He pointed out the unprecedented expansion of credit in Great Britain at the same time, and, with the redundancy of paper currency[1] there, the rise of adventurous and unwholesome speculation.

To the demand for a reëstablishment of a national bank, he replied that quite a contrary thing must be done; that the fiscal concerns of the government must be separated from those of individuals or corporations; that to create such a bank would be to disregard the popular will twice solemnly and unequivocally expressed; that the same motives would operate on the administrators of a national as on those of state banks; that the Bank of the United States had not prevented former and similar embarrassments, and that the Bank of England had but lately failed in its own land to prevent serious abuses of credit. He knew indeed of loud and serious complaint because the government did not now aid commercial exchange. But this was no part of its duty. It was not the province of government to aid individuals in the transfer of their funds otherwise than through the facilities of the post-office. As justly might the government be asked to transport merchandise. These were operations of trade to be conducted by those who were interested in them. Throughout Europe domestic as well as foreign exchanges were carried on by private houses, and often, if not generally, without the assistance of banks. Our own exchanges ought to be carried on by private enterprise and competition, without legislative assistance, free from the influence of political agitation, and from the neglect, partiality, injustice, and oppression unavoidably attending the interference of government with the proper concerns of individuals. His own views, Van Buren declared, were unchanged. Before his election he had distinctly apprised the people that he would not aid in the reëstablishment of a national bank. His conviction had been strengthened that such a bank meant a concentrated money power hostile to the spirit and permanency of our republican institutions.

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[1] The reference was to commercial paper and not to bank-notes. But both had been active characteristics of American speculation.

He then turned to those state banks which had held government deposits. At all times they had held some of the federal moneys, and since 1833 they had held the whole. Since that year the utmost security had been required from them for such moneys; but when lately called upon to pay the surplus to the States, they had, while curtailing their discounts and increasing the general distress, been with the other banks fatally involved in the revulsion. Under these circumstances it was a solemn duty to inquire whether the evils inherent in any connection between the government and banks of issue were not such as to require a divorce. Ought the moneys taken from the people for public uses longer to be deposited in banks and thence to be loaned for the profit of private persons? Ought not the collection, safe-keeping, transfer, and disbursement of public moneys to be managed by public officers? The public revenues must be limited to public expenses so that there should be no great surplus. The care of the moneys inevitably accumulated from time to time would involve expense; but this was a trifling consideration in so important a matter. Personally it would be agreeable to him to be free from concern in the custody and disbursement of the public revenue. Not indeed that he would shrink from a proper official responsibility, but because he firmly believed the capacity of the executive for usefulness was in no degree promoted by the possession of patronage not actually necessary. But he was clear that the connection of the executive with powerful moneyed institutions, capable of ministering to the interests of men in points where they were most accessible to corruption, was more liable to abuse than his constitutional agency in the appointment and control of the few public officers required by the proposed plan.

Thus was announced the independent treasury scheme, the divorce of bank and state, the famous achievement of Van Buren's presidency. He argued besides elaborately in favor of the specie circular. An individual could, if he pleased, accept payment in a paper promise or in any other way as he saw fit. But a public servant should in exchange for public domain take only what was universally deemed valuable. He ought not to have a discretion to measure the value of mere promises. The $9,367,200 in the treasury for deposit with the States in October, or rather for a permanent distribution to them, he desired to retain for federal necessities. This would doubtless inconvenience States which had relied on the federal donation; but as the United States needed the money to meet its own obligations, there was neither justice nor expediency in generously giving it away. Van Buren here left the defensive with a menace to the banks that a bankruptcy law for corporations suspending specie payment might impose a salutary check on the issues of paper money.

The President finally spoke in words which seem golden to all who share his view of the ends of government. "Those who look to the action of this government," he said, "for specific aid to the citizen to relieve embarrassments arising from losses by revulsions in commerce and credit, lose sight of the ends for which it was created, and the powers with which it is clothed. It was established to give security to us all, in our lawful and honorable pursuits, under the lasting safeguard of republican institutions. It was not intended to confer special favors on individuals, or on any classes of them; to create systems of agriculture, manufactures, or trade; or to engage in them, either separately or in connection with individual citizens or organizations. . . . All communities are apt to look to government for too much . . . We are prone to do so especially at periods of sudden embarrassment and distress. . . . The less government interferes with private pursuits, the better for the general prosperity. It is not its legitimate object to make men rich, or to repair by direct grants of money or legislation in favor of particular pursuits, losses not incurred in the public service." To avoid unnecessary interference with such pursuits would be far more beneficial than efforts to assist limited interests, efforts eagerly, but perhaps naturally, sought for under temporary pressure. Congress and himself, Van Buren closed by saying, acted for a people to whom the truth, however unpromising, could always be spoken with safety, and who, in the phrase of which he was fond, were sure never to desert a public functionary honestly laboring for the public good.

An angry and almost terrible outburst received this plain, honest, and wise declaration that the people must repair their own disasters without paternal help of government; and that, rather than to promote the extension of credit with public moneys, the crisis ought to afford means of departing forever from that policy. Most of the able men who to this generation have seemed the larger statesmen of the day, joined with passionate declamation in the furious gust of folly. It was a favorite delusion that government was a separate entity which could help the people, and not a mere agency, simply using wealth and power which the people must themselves create. Webster, in a speech at Madison, Indiana, on June 1, 1837, professed his conscientious convictions that all the disasters had proceeded from "the measures of the general government in relation to the currency." He ridiculed the idea that the people had helped cause them. The people, he thought, had no lesson to learn. "Over-trading, over-buying, over-selling, over-speculation, over-production," — these, he said, were terms he "could not very well understand." In his speech of December, 1836, on the specie circular, he had given a leonine laugh at the idea of there being inflation. If he were asked, he said, what kept up the value of money "in this vast and sudden expansion and increase of it," he should answer that it was kept up "by an equally vast and sudden increase in the property of the country." That this amazing utterance upon the dynamics of national economy might be clear, he added that the vast and sudden increase was "in the value of that property intrinsic as well as marketable." No speculator of the day said a more foolish thing than did this towering statesman. There were, he admitted, "other minor causes," but they were "not worth enumerating." "The great and immediate origin of the evil" was "disturbances in the exchange . . . caused by the agency of the government itself." At the extra session Webster described the shock caused him by the President's "disregard for the public distress," by his "exclusive concern for the interest of government and revenue, by his refusal to prescribe for the sickness and disease of society," by the separation he would draw "between the interests of the government and the interests of the people." For his part he would be warm and generous in his statesmanship. He resisted the bill to suspend the "deposit" with the States; he would in the coming October pay out the last installment, stricken though the treasury was. He would again sweeten the popular palate with government manna, bitter as it had proved itself to the belly. It was the duty of the government, he said, to aid in exchanges by establishing a paper currency; he and those with him preferred the long-tried, well-approved practice of the government to letting Benton, as he said, "embrace us in his gold and silver arms and hug us to his hard money breast." As if this were not a time for soberness over its shameful abuses, credit, and the banks and bank-notes which aided it were almost apotheosized. At St. Louis in the summer, Webster, in a speech which he did not include in his collected works, said that help must come "from the government of the United States, from thence alone:" adding, "Upon this I risk my political reputation, my honor, my all. . . . He who expects to live to see all these twenty-six States resuming specie payments in regular succession once more, may expect to see the restoration of the Jews. Never! He will die without the sight."

John Quincy Adams had told his friends at home that the distribution of the public moneys among the state banks was the most pernicious cause of the disaster, although, differing from Webster, he admitted that "the abuse of credit, especially by the agency of banks," and the unrestrained pursuit of individual wealth, were the proximate causes of the disaster, for history had testified

> "Peace to corrupt, no less than war to waste."

He would punish suspension of specie payments by a bank with a forfeiture of its charter and the imprisonment of its president and officers. A national bank, he said, was "the only practicable expedient for restoring and maintaining specie payments." In the extra session he showed that the deposit banks of the South already held more money of the government than their States would receive, if the last installment of distribution should be paid, while the Northern banks held far less of that money than the Northern States were to receive. He denounced as a Southern measure the proposition to postpone this piece of recklessness. Should the Northern States hail with shouts of Hosanna "this evanescence of their funds from their treasuries," or be "humbugged out of their vested rights by a howl of frenzy against Nicholas Biddle," or be mystified out of their money and out of their senses by a Hark follow! against all banks, or by a summons to Doctors' Commons for a divorce of bank and state?

That skillful political weathercock, Caleb Cushing, told his constituents at Lowell that private banking was the "shinplaster system;" and asked whether we wished to have men who, like the Rothschilds, make "peace or war as they choose, and wield at will the destiny of empires." The plan of the administration was like that of "a cowardly master of a sinking ship, to take possession of the long boat and provisions, cut off, and leave the ship's company and passengers to their fate." To the plausible cry of separating bank and state he would answer, "Why not separate court and state . . . or law and state . . . or custom-house and state." It was "the new nostrum of political quackery." Clay delivered a famous speech in the Senate on September 25, 1837. He was appalled at the heartlessness of the administration. "The people, the States, and their banks," he said in the favorite cant of the time, "are left to shift for themselves," as if that were not the very thing for them to do. We were all, he said, —"people. States, Union, banks, . . . all entitled to the protecting care of a parental government." He cried out against "a selfish solicitude for the government itself, but a cold and heartless insensibility to the sufferings of a bleeding people." The substitution of an exclusive metallic currency was "forbidden by the principles of eternal justice." For his part he saw no adequate remedy which did "not comprehend a national bank as an essential part of it." In banking corporations, indeed, "the interests of the rich and poor are happily blended;" nor should we encourage here private bankers, Hopes and Barings and Rothschilds and Hottinguers, "whose vast overgrown capitals, possessed by the rich exclusively of the poor, control the destiny of nations."

The bill for the independent treasury was firmly pressed by the administration. It did not deceive the people with any pretense that banks and paper money would stand in lieu of industry, economy, and good sense. The summer elections, then far more numerous than now, had, as Clay warningly pointed out, gone heavily against Van Buren. The bill passed the Senate, 26 to 20. In the House it was defeated. Upon the election of speaker, the administration candidate, James K. Polk, had had 116 votes to 103 for John Bell. But this very moderate majority was insecure. A break in the administration ranks was promptly shown by the defeat, for printers to the House, of Francis P. Blair and his partner, who in their paper, the "Washington Globe," had firmly supported the hard money and anti-bank policy. They received only 107 votes, about fifteen Democrats uniting with the Whigs to defeat them. Van Buren was unable to educate all his party to his own firm, clear-sighted views. There was formed a small party of "conservatives," Democrats who took what seemed, and what for the time was, the popular course. The independent treasury bill was defeated in the House by 120 to 106.

Van Buren's proposal was carried, however, to postpone the "deposite," as it was called, the gift as it was, of the fourth installment of the surplus. On October 1, Webster and Clay led the seventeen senators who insisted upon the folly of the national treasury in its destitution playing the magnificent donor, and further debauching the States with streams of pretended wealth. Twenty-eight senators voted for the bill; and in the House it was carried by 118 to 105, John Quincy Adams heading the negative vote.

The administration further proposed the issue of $10,000,000 in treasury notes. It was a measure strictly of temporary relief. Gold and silver had disappeared; bank-notes were discredited. The government, whose gold and silver the banks would not pay out, was disabled from meeting its current obligations; and the treasury notes were proposed to meet the necessity. They were not to be legal tender, but interest-bearing obligations in denominations not less than $50, to be merely receivable for all public dues, and thus to gain a credit which would secure their circulation. This natural and moderate measure was assailed by those who were lauding a paper currency to the skies. The radical difference was ignored between a general currency of small as well as large bills, without intrinsic value, adopted for all time, and a limited and perfectly secure government loan, to be freely taken or rejected by the people, in bills of large amounts, to meet a serious but brief embarrassment. "Who expected," said Webster in the Senate, "that in the fifth year of the experiment for reforming the currency, and bringing it to an absolute gold and silver circulation, the Treasury Department would be found recommending to us a regular emission of paper money?" He voted, however, for the bill, the only negative votes in the Senate being given by Clay and four others. In the House it was carried by 127 to 98.

Such was the substantial work of the extra session. To the experience of that crisis and the wisdom with which it was met may not improbably be ascribed the hard-money leaven which, thirty or forty years later, prevented the great disaster of further paper inflation, and brought the country to a currency which, if not the best, is a currency of coin and of redeemable paper, whose value, apart from the legal-tender notes left us by the war and the decision of the Supreme Court, depends upon the best of securities, coin or government bonds, deposited in the treasury, and a currency whose amount may therefore safely be left to the natural operations of trade.

Clay's appeal for a great banking institution, which should accomplish by magic the results of popular labor and saving, was met by a vote of the House, 123 to 91, that it was inexpedient to charter a national bank, many voting against a bank who had already voted against an independent treasury. The Senate also resolved against a national bank by 31 to 14, six senators who had voted against an independent treasury voting also against a bank. The temporary expedient adopted by the treasury on the suspension of the banks was therefore continued, and public moneys were kept in the hands of public officers.

Calhoun now rejoined the Democratic party. It was only the year before he had denounced it as "a powerful faction held together by the hopes of public plunder;" and early in this very year he had referred to the removal of the deposits as an act fit for "the days of Pompey or Cæsar," and had declared that even a Roman Senate would not have passed the expunging resolution "until the times of Caligula and Nero." But Van Buren, Calhoun now said, had been driven to his position; nor would he leave the position for that reason. He referred to the strict construction of the powers of the government involved in the divorce of bank and state. There was no suggestion that Van Buren had become a convert to nullification. But Calhoun could with consistency support Van Buren. The independent treasury scheme was plainly far different from the removal of the deposits from one great bank to many lesser ones. The reasons for political exasperation had besides disappeared. Van Buren was chief among the *beati possidentes*, and could not for years be disturbed. His tact and skill left open no personal feud; he had not yet conferred the title of Cæsar; no successor to himself was yet named by any clear designation. Calhoun joined Silas Wright and the other administration senators; but he still maintained a grim and independent front.

The extra session ended on October 16. Besides the issuance of $10,000,000 in treasury notes and the postponement of the distribution among the States, the only measure adopted for relief was a law permitting indulgence of payment to importers upon custom-house bonds. As those payments were to be made in specie, and as specie had left circulation, it was proper that the United States as a creditor should exhibit the same leniency which was wise and necessary on the part of other creditors.

Commercial distress had now materially abated, although many of its wounds were still deep and unhealed. Before the regular session began in December, substantial progress was made towards specie payments. The price of gold in New York, which had ruled at a premium of eight and seven eighths per cent., had fallen to five. On October 20 the banks of New York, after waiting until Congress rose, to meet the wishes of the United States Bank and its associates in Philadelphia, now invited representatives from all the banks to meet in New York on November 27 to prepare for specie payment. At this meeting the New York banks proposed resumption on March 1, 1838, but they were defeated; and a resolution to resume on July 1 was defeated by the votes of Pennsylvania and all the New England States except Maine (which was divided), together with New Jersey, Delaware, Maryland, South Carolina, and Indiana. Virginia, Ohio, Georgia, North Carolina, Kentucky, and the District of Columbia, with New York, made the minority. An adjournment was taken to the second Wednesday in April, the banks being urged meanwhile to prepare for specie payments.

The fall as well as the summer elections had been most disastrous for the Democrats. New York, which the year before had given Van Buren nearly 30,000 plurality, was now overwhelmingly Whig. The Van Buren party began to be called the Loco-focos, in derision of the fancied extravagance of their financial doctrines. The Loco-foco or Equal Rights party proper was originally a division of the Democrats, strongly anti-monopolist in their opinions, and especially hostile to banks, —

not only government banks but all banks, — which enjoyed the privileges then long confirmed by special and exclusive charters. In the fall of 1835 some of the Democratic candidates in New York were especially obnoxious to the anti-monopolists of the party. When the meeting to regularly confirm the nominations made in committee was called at Tammany Hall, the anti-monopolist Democrats sought to capture the meeting by a rush up the main stairs. The regulars, however, showed themselves worthy of their regularity by reaching the room up the back stairs. In a general scrimmage the gas was put out. The anti-monopolists, perhaps used to the devices to prevent meetings which might be hostile, were ready with candles and loco-foco matches. The hall was quickly illuminated; and the anti-monopolists claimed that they had defeated the nominations. The regulars were successful, however, at the election; and they and the Whigs dubbed the anti-monopolists the Loco-foco men. The latter in 1836 organized the Equal Rights party, and declared it an imperative duty of the people "to recur to first principles." Their "declaration of rights" might well have been drawn a few years later by a student of Spencer's "Social Statics." The law, they said, ought to do no more than restrain each man from committing aggressions on the equal rights of other men; they declared "unqualified hostility to bank-notes and paper money as a circulating medium," and to all special grants by the legislature. A great cry was raised against them as dangerous and incendiary fanatics. The Democratic press, except the "Evening Post," edited by William Cullen Bryant, turned violently upon the seceders. There was the same horror of them as the English at almost the very time had of the Chartists, and which in our time is roused by the political movements of Henry George. But with time and familiarity Chartism and Loco-focoism alike lost their horrid aspect. Several of the cardinal propositions of the former have been adopted in acts of Parliament without a shudder. To the animosity of the Loco-focos against special legislation and special privileges Americans probably owe to-day some part of the beneficent movement in many of the States for constitutional requirements that legislatures shall act by general laws.

The Equal Rights party, though casting but a few votes, managed to give the city of New York to the Whigs, a result which convinced the Democrats that, dangerous as they were, they were less dangerous within than without the party. The hatred which Van Buren after his message of September, 1837, received from the banks commended him to the Loco-focos; and in October, 1837, Tammany Hall witnessed their reconciliation with the regular Democrats upon the moderate declaration for equal rights. The Whigs had, indeed, been glad enough to have Loco-foco aid and even open alliance at the polls. But none the less they thought the Democratic welcome back of the seceders an enormity. From this time the Democrats were, it was clear, no better than Loco-focos, and ought to bear the name of those dangerous iconoclasts.

Van Buren met Congress in December, 1837, with still undaunted front. His first general review of the operations of the government was but little longer than his message to the extra session on the single topic of finance. He refused to consider the result of the elections as a popular disapproval of the divorce of bank and state. In only one State, he pointed out, had a federal election been held; and in the other elections, which had been local, he intimated that the fear of a forfeiture of the state-bank charters for their suspension of specie payments had determined the result. He still emphatically opposed the connection between the government and the banks which could offer such strong inducements for political agitation. He blew another blast against the United States Bank, now a Pennsylvania corporation, for continuing to reissue its notes originally made before its federal charter had expired and since returned. He recommended a preëmption law for the benefit of actual settlers on public lands, and a classification of lands under different rates, to encourage the settlement of the poorer lands near the older settlements. There was a conciliatory but firm reference to the dispute with England over the northeastern boundary. He announced his failure to adjust the dispute with Mexico over the claims which had been pressed by Jackson. The Texan cloud which six years later brought Van Buren's defeat was already threatening.

At this session the independent or sub-treasury bill was again introduced, and again a titanic battle was waged in the Senate. In this encounter Clay taunted Calhoun for going over to the enemy; and Calhoun, referring to the Adams-Clay coalition, retorted that Clay had on a memorable occasion gone over, and had not left it to time to disclose his motives. Here it was that, in the decorous fury of the times, both senators stamped accusations with scorn in the dust, and hurled back darts fallen harmless at their feet. The bill passed the Senate by 27 to 25; but Calhoun finally voted against it because there had been stricken out the provision that government dues should be paid in specie. The bill was again defeated in the House by 125 to 111. The latter vote was late in June, 1838. But while Congress refused a law for it, the independent treasury in fact existed. Under the circular issued upon the bank suspension, the collection, keeping, and payment of federal moneys continued to be done by federal officers. The absurdity of the declamation about one's blood curdling at Van Buren's recommendations, about this being the system in vogue where people were ground "to the very dust by the awful despotism of their rulers," was becoming apparent in the easy, natural operation of the system, dictated though it was by necessity rather than law. The

Whigs, in the sounding jeremiades of Webster and the perfervid eloquence of Clay, were joined by the Conservatives, former Democrats, with Tallmadge of New York and Rives of Virginia at their head. They had retired into the cave of superior wisdom, of which many men are fond when a popular storm seems rising against their party; they affected oppressive grief at Van Buren's reckless hatred of the popular welfare, and accused him of designing entire destruction of credit in the ordinary transactions of business. This silly charge was continually made, and gained color from the extreme doctrines of the Equal Rights movement and the fixing of the Loco-foco name upon the Democratic party.

The sub-treasury bill was again taken up at the long session of 1839–40 by the Congress elected in 1838. Again the wisdom of separating bank and state, again the wrong of using public moneys to aid private business and speculation, were stated with perfectly clear but uninspiring logic. Again came the antiphonal cry, warm and positive, against the cruelty of withdrawing the government from an affectionate care for the people, and from its duty generously to help every one to earn his living. In and out of Congress it was the debate of the time, and rightly; for it involved a profound and critical issue, which since the foundation of the government has been second in importance only to the questions of slavery and national existence and reconstruction. In 1840 the bill passed the Senate by

24 to 18 and the House by 124 to 107. This chief monument of Van Buren's administration seemed quickly demolished by the triumphant Whigs in 1841, but was finally set up again in 1846 without the aid of its architect. From that time to our own, in war and in peace, the independence of the federal treasury has been a cardinal feature of American finance. Nor was its theory lost even in the system of national banks and public depositories created for the tremendous necessities of the civil war.[1]

By the spring of 1838 business had revived during the year of enforced industry and economy among the people. In January, 1838, the premium on gold at New York sank to three per cent.; and when the bank convention met on the adjourned day in April, the premium was less than one per cent. The United States Bank resisted resumption with great affectation of public spirit, but for selfish reasons soon to be disclosed. The New York banks, with an apology to their associates, resolved to resume by May 10, five days before the date to which the State had legalized the suspension. The convention adopted a resolution for general resumption on January 1, 1839, without precluding earlier resumption by any banks which deemed it proper. In April it was learned that the Bank of

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[1] The depositories now authorized for the proceeds of the internal revenue secured the government by a deposit of the bonds of the latter, which the depositories must of course purchase and own. (*U. S. Rev. Stats.* § 5153.)

England was shipping a million sterling to aid resumption by the banks. On July 10, Governor Ritner of Pennsylvania by proclamation required the banks of his State to resume by August 1. On the 13th of that month the banks of Massachusetts, Connecticut, Rhode Island, Delaware, Maryland, Virginia, Kentucky, Missouri, Ohio, Indiana, and Illinois yielded to the moral coercion of the New York banks, and to the resumption now enforced on the Bank of the United States. By the fall of 1838 resumption was general, although the banks at the Southwest did not follow until midwinter. Confidence was so much restored that "runs" on the banks did not occur. The crisis seemed at an end; and Van Buren not unreasonably fancied that he saw before the country two years of steady and sound return to prosperity. Two such years would, in November, 1840, bring the reward of his sagacity and endurance. But a far deeper draft upon the vitality of the patient had been made than was supposed; and in its last agony, eighteen months later, Biddle's bank helped to blast Van Buren's political ambition.

CHAPTER X

PRESIDENT. — CANADIAN INSURRECTION. — TEXAS. — SEMINOLE WAR. — DEFEAT FOR REËLECTION

ANOTHER unpopular duty fell to Van Buren during his presidency, a duty but for which New York might have been saved to him in 1840. In the Lower and Upper Canadas popular discontent and political tumult resulted late in 1837 in violence, so often the only means by which English dependencies have brought their imperial mistress to a respect for their complaints.[1] The liberality of the Whigs, then lately triumphant in England, was not broad enough to include these distant colonists. The provincial legislature in each of the Canadas consisted of a Lower House or assembly chosen by popular vote, and an Upper House or council appointed by the governor, who himself was appointed by and represented the crown.

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[1] I cannot refrain in this revised edition to note that England, although not always a ready scholar, has in later years learned a farseeing wisdom which in colonial administration makes her the teacher of the world. The modern policy of deference to local sentiment and of finding her own advantage in the independent prosperity of the colony, has bound continents, islands, races, religions, to the English empire, and brought from them wealth to England, as the old rule of force never did.

Reforms after reforms, proposed by the popular houses, were rejected by the council. In Lower Canada the popular opposition was among the French, who had never been embittered towards the United States. In Upper Canada its strength was among settlers who had come since the war closed in 1815. Lower Canada demanded in vain that the council be made elective. Its assembly, weary of the effectual opposition of the council to popular measures, began in 1832 to refuse votes of supplies unless their grievances were redressed; and by 1837 government charges had accrued to the amount of £142,100. On April 14, 1837, Lord John Russell, still wearing the laurel of a victor for popular rights, procured from the imperial parliament permission, without the assent of the colonial parliament, to apply to these charges the money in the hands of the receiver-general of Lower Canada. This extraordinary grant passed the House of Commons by 269 to 46. A far less flagitious case of taxation without representation had begun the American Revolution. The money had been raised under laws which provided for its expenditure by vote of a local representative body. It was expended by the vote of a body at Westminster, three thousand miles away, but few of whose members knew or cared anything for the bleak stretch of seventeenth-century France on the lower St. Lawrence, and none of whom had contributed a penny of it. To even Gladstone, lately the under-secretary for the colonies and then a "rising hope of unbending Tories," there seemed nothing involved but the embarrassment of faithful servants of the crown. This thoroughly British disregard of sentiment among other people roused a deep opposition which was headed by Papineau, eloquent and a hero among the French. An insurrection broke out in November, 1837, and blood was shed in engagements at St. Denis and St. Charles, not far from Montreal. But the insurgents were quickly defeated, and within three weeks the insurrection in Lower Canada was ended.

In Upper Canada there was considerable Republican sentiment, and the party of popular rights had among its leaders men of a high order of ability. One of them, Marshall S. Bidwell, through the magnanimity or procurement of the governor, escaped from Canada to become one of the most honored and stately figures at the bar of New York. Early in 1836, Sir Francis B. Head, a clever and not ill-natured man, arrived as governor. He himself wrote the unconscious Anglicism that "the great danger" he "had to avoid was the slightest attempt to conciliate any party." It was assumed with the usual insufferable affectation of omniscience that these hardy Western settlers were merely children who did not know what was best for them. Even the suggestions of concession sent him from England were not respected. In an election for the Assembly he had the issue announced as one of separation from England;

and by the use, it was said, of his power and patronage, the colonial Tories carried a majority of the House. Hopeless of any redress, and fired by the rumors of the revolt in Lower Canada, an insurrection took place early in December near Toronto. It was speedily suppressed. One of the leaders, Mackenzie, escaped to Buffalo. Others were captured and punished, some of them capitally.

The mass of the Canadians were doubtless opposed to the insurrection. But there was among them a widespread and reasonable discontent, with which the Americans, and especially the people of northern and western New York, warmly sympathized. It was natural and traditional to believe England an oppressor; and there was every reason in this case to believe the Canadians right in their ill-feeling. The refugees who had fled to New York met with an enthusiastic reception, and, in the security of a foreign land, prepared to advance their rebellion. On the long frontier of river, lake, and wilderness, it was difficult, with the meagre force regularly at the disposal of the United States, to prevent depredations. This difficulty became enhanced by a culpable though not unnatural invasion of American territory by British troops. On December 12, 1837, Mackenzie, who had the day before arrived with a price of $4000 set upon his head, addressed a large audience at Buffalo. Volunteers were called for; and the next day, with twenty-five men, commanded by Van

Rensselaer, an American, he seized Navy Island in the Niagara River, but a short distance above the cataract, and belonging to Canada. He there established a provisional government, with a flag and a great seal; and that the new State might be complete, paper money was issued. By January, 1838, there were several hundred men on the island, largely Americans, with arms and provisions chiefly obtained from the American side.

On the night of December 29, 1837, a party of Canadian militia crossed the Niagara to seize the Caroline, a steamer in the service of the rebels. It happened, however, that the steamer, instead of being at Navy Island, was at Schlosser, on the American shore. The Canadians seized the vessel, killing several men in the affray, and after setting her on fire, loosened her from the shore, to go blazing down the river and over the falls. This invasion of American territory caused indignant excitement through the United States. Van Buren had promptly sought to prevent hostility from our territory. On January 5, 1838, he had issued a proclamation reciting the seizure of Navy Island by a force, partly Americans, under the command of an American, with arms and supplies procured in the United States, and declared that the neutrality laws would be rigidly enforced and the offenders punished. Nor would they receive aid or countenance from the United States, into whatever difficulties they might be thrown by their violation of friendly territory. On the same day Van Buren sent General Winfield Scott to the frontier, and by special message asked from Congress power to prevent such offenses in advance, as well as afterwards to punish them, — a request to which Congress, in spite of the excitement over the invasion at Schlosser, soon acceded. The militia of New York were, on this invasion, called out by Governor Marcy, and placed under General Scott's command. But there was little danger. On January 13 the insurgents abandoned Navy Island. The war, for the time, was over, although excitement and disorder continued on the border and the lakes as far as Detroit; and in the fall of 1838 other incursions were made from American territory. But they were fruitless and short-lived Nearly nine hundred arrests were made by the Canadian authorities. Many death sentences were imposed and several executed, and many more offenders were sentenced to transportation.

England, in her then usual fashion, was duly waked to duty by actual bloodshed. Sir Francis B. Head left Canada, and the Melbourne ministry sent over the Earl of Durham, one of the finest characters in English public life, to be governor-general over the five colonies; to redress their wrongs; to conciliate, and perhaps yield to demands for self-government: all which might far better have been done five years before. Lord Durham used a wise mercy towards the rebels. He made rapid progress in the reforms, and, best and first of all, he won the confidence and affection of the people. But England used to distrust an English statesman who practiced this kind of rule towards a dependency. A malevolent attack of Lord Brougham was successful, and Lord Durham returned to ministerial disgrace, though to a wiser popular applause, soon to die in what ought to have been but an early year in his generous and splendid career. Although punishing her benefactor, England was shrewd enough to accept the benefit. The concessions which Lord Durham had begun were continued, and Canada became and has remained loyal. Before leaving Canada, Lord Durham was invited by a very complimentary letter of Van Buren to visit Washington, but the invitation was courteously declined.

Mackenzie was arrested at Buffalo and indicted. After his indictment he addressed many public meetings through the United States in behalf of his cause, one at Washington itself. In 1839, however, he was tried and convicted. Van Buren, justly refusing to pardon him until he had served in prison two thirds of his sentence, thus made for himself a persistent and vindictive enemy.

Upon renewed raids late in 1838, the President, by a proclamation, called upon misguided or deluded Americans to abandon projects dangerous to their own country and fatal to those whom they professed a desire to relieve; and, after various appeals to good sense and patriotism, warned them that, if taken in Canada, they would be left to the policy and justice of the government whose dominions they had, "without the shadow of justification or excuse, nefariously invaded." This had no uncertain sound. Van Buren was promptly declared to be a British tool. The plain facts were ignored that the great majority of the Canadians, however much displeased with their rulers, were hostile to Republican institutions and to a separation from England, and that the majority in Canada had the same right to be governed in their own fashion as the majority here. There was seen, however, in this firm performance of international obligations, only additional proof of Van Buren's coldness towards popular rights, and of his sycophancy to power.

The system of allowing to actual settlers, at the minimum price, a preëmption of public lands already occupied by them, was adopted at the long session of 1837–38. Webster joined the Democrats in favoring the bill, against the hot opposition of Clay, who declared it "a grant of the property of the whole people to a small part of the people." The dominant party was now wisely committed to the policy of using the public domain for settlers, and not as mere property to be turned into money. But a year or two before, the latter system had in practice wasted the national estate and corrupted the public with a debauchery of speculation.

The war between Mexico and the American settlers in her revolted northeast province began in 1835. Early in 1836 the heroic defense of the

Alamo against several thousand Mexicans by less than two hundred Americans, and among them Davy Crockett, Van Buren's biographer, and the butchery of all but three of the Americans, had consecrated the old building, still proudly preserved by the stirring but now peaceful and pleasing city of San Antonio, and had roused in Texas a fierce and resolute hatred of Mexico. In April, 1836, Houston overwhelmed the Mexicans at San Jacinto, and captured their president, Santa Anna.

In his message of December 21, 1836, Jackson, although he announced these successes of the Texans and their expulsion of Mexican civil authority, still pointed out to Congress the disparity of physical force on the side of Texas, and declared it prudent that we should stand aloof until either Mexico itself or one of the great powers should have recognized Texan independence, or at least until the ability of Texas should have been proved beyond cavil. The Senate had then passed a resolution for recognition of Texan independence. But the House had not concurred; and before Van Buren's inauguration Congress had done no more than authorize the appointment of a diplomatic agent to Texas whenever the President should be satisfied of its independence. In August, 1837, the Texan representative at Washington laid before Van Buren a plan of annexation of the revolted Mexican state. The offer was refused; and it was declared that the United States desired to remain neutral, and perceived that annexation would necessarily lead to war with Mexico. In December, 1837, petitions were presented in Congress against the annexation of Texas, now much agitated at the South; and Preston, Calhoun's senatorial associate from South Carolina, offered a resolution for annexation. Some debate on the question was had in 1838, in which both the pro-slavery character of the movement and the anti-slavery character of the opposition clearly appeared. But this danger to Van Buren was delayed several years. Nor was he yet a character in the drama of the slavery conflict which by 1837 was well opened. The agitation over abolition petitions and the murder of Lovejoy the abolitionist are now readily enough seen to have been the most deeply significant occurrences in America between Van Buren's inauguration and his defeat; but they were as little part of his presidency as the arrival at New York from Liverpool on April 22 and 23, 1838, of the Sirius and the Great Western, the first transatlantic steamships. In Washington the slavery question did not get beyond the halls of Congress. The White House remained for several years free from both the dangers and the duties of the question accompanying the discussion.

Van Buren's administration pressed upon Mexico claims arising out of wrongs to American citizens and property which had long been a grievance. Jackson had thought it our duty, in view of the "embarrassed condition" of that republic, to "act with both wisdom and moderation by giving to Mexico one more opportunity to atone for the past."

In December, 1837, Van Buren, tired of Mexican procrastination, referred the matter to Congress, with some menace in his tone. In 1840 a treaty was at last made for an arbitration of the claims, the king of Prussia being the umpire. John Quincy Adams vehemently assailed the American assertion of these claims, as intended to "breed a war with Mexico," and "as machinery for the annexation of Texas;" and his violent denunciations have obtained some credit. But Adams himself had been pretty vigorous in the maintenance of American rights. And the plain and well known facts are, that after several years of negotiation the claims were with perfect moderation submitted for decision to a disinterested tribunal; that they were never made the occasion of war; and that Van Buren opposed annexation.

In June, 1838, James K. Paulding, long the navy agent at New York, was made secretary of the navy in place of Mahlon Dickerson of New Jersey, who now resigned. Paulding seems to us rather a literary than a political figure. Besides the authorship of part of "Salmagundi," of "The Dutchman's Fireside," and of other and agreeable writings grateful to Americans in the days when the sting of the question, "Who reads an American book?" lay rather in its truth than in its ill-nature, Paulding's pen had aided the Republican party as early as Madison's presidency. Our politics have always, even at home, paid some honor to the muses, without requiring them to descend very far into the partisan arena. A curious illustration was the nomination of Edwin Forrest, the famous tragedian, for Congress by the Democrats of New York in 1838, a nomination which was more sensibly declined than made. An almost equally curious instance was the tender Van Buren made of the secretaryship of the navy to Washington Irving before he offered it to Paulding, who was a connection by marriage of Irving's brother. Van Buren had, it will be remembered, become intimately acquainted with Irving abroad; and others than Van Buren strangely enough had thought of him for political service. The Jacksonians had wanted him to run for Congress; and Tammany Hall had offered him a nomination for mayor of New York. Van Buren wrote to Irving that the latter had "in an eminent degree those peculiar qualities which should distinguish the head of the department," and that this opinion of his had been confirmed by Irving's friends, Paulding and Kemble, the former of whom it was intimated was "particularly informed in regard to the services to be rendered." But one cannot doubt that in writing this the President had in mind the sort of service to the public, and the personal pleasure and rest to himself, to be brought by a delightful and accomplished man of letters, who was no mere recluse, but long practiced in polished and brilliant life abroad, rather than any business or executive or political ability. Irving wisely replied that he should delight in full occupation, and should take peculiar interest in the navy department; but that he shrank from the harsh turmoils of life at Washington, and the bitter personal hostility and the slanders of the press. A short career at Washington would, he said, render him "mentally and physically a perfect wreck." Paulding's appointment to the cabinet portfolio assigned to New York was not agreeable to the politicians; and they afterwards declared that, if Marcy had been chosen instead, the result in 1840 might have been different. The next Democratic president gave the same place to another famous man of letters, George Bancroft.

On June 6, 1837, Louis Napoleon wrote the President from New York that the dangerous illness of his mother recalled him to the old world; and that he stated the reason for his departure lest the President might "have given credence to the calumnious surmises respecting" him. The famous adventurer used one of those many phrases of his which, if they had not for years imposed on the world, no wise man would believe could ever have obtained respect. Van Buren, as the ruler of a free people, ought to be advised, the prince wrote, that, bearing the name he did, it was impossible for him "to depart for an instant from the path pointed out to me by my conscience, my honor, and my duty."

The elections of 1838 showed a recovery from the defeat in 1837, a recovery which would perhaps have been permanent if the financial crisis had been really over. Maine wheeled back into the Van Buren ranks; and Maryland and Ohio now joined her. In New Jersey and Massachusetts the Whig majorities were reduced; and in New York, where Seward and Weed had established a political management quite equal to the Regency, the former was chosen governor by a majority of over 10,000, but still less by 5000 than the Whig majority of 1837. The Democrats now reaped the unpopularity of Van Buren's upright neutrality in the Canadian troubles. Northern and western New York gave heavy Whig majorities. Jefferson county on the very border, which had stood by Van Buren even in 1837, went over to the Whigs.

Van Buren met Congress in December, 1838, with more cheerful words. The harvest had been bountiful, he said, and industry again prospered. The first half century of our Constitution was about to expire, after proving the advantage of a government "entirely dependent on the continual exercise of the popular will." He returned firmly to his lecture on economics and the currency, drawing happily, but too soon, a lesson from the short duration of the suspension of specie payments in 1837 and the length of that in 1814. We had been saved, he said, the mortification of seeing our distresses used to fasten again upon us so "dangerous an institution" as a national bank. The treasury would be able in the coming year to pay off the $8,000,000 outstanding of the $10,000,000 of treasury notes authorized at the extra session. Texas had withdrawn its application for admission to the Union. The final removal of the Indian tribes to the west of the Mississippi in accordance with the Democratic policy was almost accomplished. There were but two blemishes on the fair record the White House sent to the Capitol. Swartwout, Jackson's collector of New York, was found, after his supersession by Jesse Hoyt, to be a defaulter on a vast scale. His defalcations, the President carefully pointed out, had gone on for seven years, as well while public moneys were kept with the United States Bank and while they were kept with state banks, as while they were kept by public officers. It was broadly intimated that this disgrace was not unrelated to the general theory which had so long connected the collection and custody of public moneys with the advancement of private interests; and the President asked for a law making it a felony to apply public moneys to private uses. Swartwout's appointment in 1829, as has been said, was strenuously opposed by Van Buren as unfit to be made. After a year or two Jackson returned to Van Buren his written protest, saying that time had proved his belief in Swartwout's unfitness to be a mistake. Van Buren's own appointment to the place was, however, far from an ideal one. Jesse Hoyt was shown by his published correspondence — a veritable instance, by the way, of "*stolen* sweets" — to have been a shrewd, able man, who enjoyed the strangely varied confidence of many distinguished, discreet, and honorable men, and of many very different persons, ranging through a singular gamut of religion, morals, statesmanship, economics, politics, patronage, banking, trade, stock gambling, and betting. The respectability of some of Hoyt's friends and his possession of some ability palliate, but do not excuse, his appointment to a great post.

The second Florida war still dragged out its slow and murderous length. The Seminoles under pressure had yielded to Jackson's firm policy of removing all the Indian tribes to the west of the Mississippi. The policy seemed, or rather it was, often cruel, as is so much of the progress of civilization. But the removal was wise and necessary. Tribal and independent governments by nomadic savages could not be tolerated within regions devoted to the arts and the government of white men. Whatever the theoretical rights of property in land, no civilized race near vast areas of lands fit for the tillage of a crowding population has ever permitted them to remain mere hunting grounds for savages. The Seminoles in 1832, 1833, and 1834 agreed to go west upon terms like those accepted by other Indians. The removal was to take place, one third of the tribe in each of the three years 1833, 1834, and 1835; but the dark-skinned men, as their white brothers would have done, found or invented excuses for not keeping their promise of voluntary expatriation. Late in 1835, when coercion, although it had not yet been employed against the Seminoles, was still feared by them, they rose under their famous leader, the half-breed Powell, better known as Osceola, and massacred the federal agent and Major Dade, and 107 out of 111 soldiers under him. Then followed a series of butcheries and outrages upon white men of which we have heard, and doubtless of crimes enough upon Indians of which we have not heard. Among the everglades, the swamps and lakes of Florida, its scorching sands and impenetrable thickets, a difficult, tedious, inglorious, and costly contest went on. Military evolutions and tactics were of little value; it was a war of ambushes and assassination. Osceola, coming with a flag of truce, was taken by General Jessup, the defense for his capture being his violation of a former parole. He was sent to Fort Moultrie, in Charleston harbor, and there died, after furnishing recitations to generations of schoolboys, and sentiment to many of their elders. Van Buren had been compelled to ask $1,600,000 from Congress at the extra session. Before his administration was ended nearly $14,000,000 had been spent; and not until 1842 did the war end. It was one of the burdens of the administration which served to irritate a people already uneasy for deeper and more general reasons. The prowess of the Indian chief, his eloquence, his pathetic end, the miseries and wrongs of the aborigines, the cost and delay of the war, all reënforced the denunciation of Van Buren by men who made no allowance for embarrassments which could be surmounted by no ability, because they were inevitable to the settlement by a civilized race of lands used by savages. Time, however, has vindicated the justice and mercy, as well as the policy of the removal, and of the establishment of the Indian Territory.

A few days before the close of the session Van Buren asked Congress to consider the dispute with Great Britain over the northeast boundary. Both Maine and New Brunswick threatened, by rival military occupations of the disputed territory, to precipitate war. Van Buren permitted the civil authorities of Maine to protect the forests from destruction; but disapproved any military seizure, and told the state authorities that he should propose arbitration to Great Britain. If, however, New Brunswick sought a military occupation, he should defend the territory as part of the State. Congress at once authorized the President to call out 50,000 volunteers, and put at his disposal a credit of $10,000,000. Van Buren persisted in his great effort peacefully to adjust the claims of our chronically belligerent northeastern patriots, — in Maine as in New York finding his fate in his duty firmly and calmly to restrain a local sentiment inspiring voters of great political importance to him. The "news from Maine" in 1840 told of the angry contempt the hardy lumbermen felt for the President's perfectly statesmanlike treatment of the question.

In the summer of 1839 Van Buren visited his old home at Kinderhook; and on his way there and back enjoyed a burst of enthusiasm at York, Harrisburg, Lebanon, Reading, and Easton in Pennsylvania, at Newark and Jersey City in New Jersey, and at New York, Hudson, and Albany in his own State. There were salutes of artillery, pealing of bells, mounted escorts in blue and white scarfs, assemblings of "youth and beauty," the complimentary addresses, the thronging of citizens "to grasp the hand of the man whom they had delighted to honor," and all the rest that makes up the ovations of Americans to their black-coated rulers. He landed in New York at Castle Garden, amid the salutes of the forts on Bedloe's, Governor's, and Staten Islands, and of a "seventy-four," whose yards were covered with white uniformed sailors. After the reception in Castle Garden he mounted a spirited black horse and reviewed six thousand troops assembled on the Battery; and then went in procession along Broadway to Chatham Street, thence to the Bowery, and through Broome Street and Broadway back to the City Hall Park. Not since Lafayette's visit had there been so fine a reception. At Kinderhook he was overwhelmed with the affectionate pride of his old neighbors. He declined public dinners, and by the simple manner of his travel offered disproof of the stories about his "English servants, horses and carriages." The journey was not, however, like the good-natured and unpartisan presidential journeys of our time. The Whigs often churlishly refused to help in what they said was an electioneering tour. Seward publicly refused the invitation of the common council of New York to participate in the President's reception, because the State had honored him with the office of governor for his disapproval of Van Buren's political character and public policy, and because an acceptance of the invitation "would afford evidence of inconsistency and insincerity." Van Buren's own friends gave a party air to much of the welcome. Democratic committees were conspicuous in the ceremonies; and in many of the addresses much that was said of his administration was fairly in a dispute certain to last until the next year's election was over. Van Buren could hardly have objected to the coldness of the Whigs, for his own speeches, though decorous and respectful to the last degree to those who differed from him, were undisguised appeals for popular support of his financial policy. At New York he referred to the threatening dissatisfaction in his own State concerning his firm treatment of the Canadian troubles. But he was persuaded, he said, that good sense and ultimately just feeling would give short duration to these unfavorable impressions.

The President was too experienced and cool in judgment to exaggerate the significance of superficial demonstrations like these, which often seemed conclusive to his exuberant rival Clay. He was encouraged, however, by the elections of 1839. In Ohio the Whigs were "pretty essentially used up," though unfortunately not to remain so a twelvemonth. In Massachusetts Morton, the Van Buren candidate for governor, was elected by just one vote more than a majority of the 102,066 votes cast. Georgia, New Jersey, and Mississippi gave administration majorities. In New York the adverse majority which in 1837 had been over 15,000, and in 1838 over 10,000, was now less than 4000, in spite of the disaffection along the border counties. It was not an unsatisfactory result, although for the first time since 1818 the legislature was completely lost. Another year, Van Buren now hoped, would bring a complete recovery from the blow of 1837. But the autumn of 1839 had also brought a blast, to grow more and more chilling and disastrous.

In the early fall the Bank of the United States agreed to loan Pennsylvania $2,000,000; and for the loan obtained the privilege of issuing $5 notes, having before been restricted to notes of $20 and upwards. "Thus has the Van Buren State of Pennsylvania," it was boasted, "enabled the banks to overcome the reckless system of a Van Buren national administration." The price of cotton, which had risen to 16 cents a pound, fell in the summer of 1839, and in 1840 touched as low a point as 5 cents. In the Northwest many banks had not yet resumed since 1837. To avoid execution sales it was said that two hundred plantations had been abandoned and their slaves taken to Texas. The sheriff, instead of the ancient return, *nulla bona*, was said, in the grim sport of the frontier, to indorse on the fruitless writs "G. T.," meaning "Gone to Texas." A money stringency again appeared in England, in 1839. Its exportation of goods and money to America had again become enormous. The customs duties collected in 1839 were over $23,000,000, and about the same as they had been in 1836, having fallen in 1837 to $11,000,000, and afterwards in 1840 falling to $13,000,000. Speculation revived, the land sales exceeding $7,000,000 in 1839, while they had been $3,700,000 in 1838, and afterwards fell to $3,000,000 in 1840. Under the pressure from England the Bank of the United States sank with a crash. The "Philadelphia Gazette," complacently ignoring the plain reasons for months set before its eyes, said that the disaster had "its chief cause in the revulsion of the opium trade with the Chinese;" that upon the news that the Orientals would no longer admit the drug the Bank of England had "fairly reeled;" and that, the balance of trade being against us, we had to dishonor our paper. Explanations of like frivolity got wide credence. The Philadelphia banks suspended on October 9, 1839, the banks of Baltimore the next day, and in a few days the banks in the North and West followed. The banks of New York and New England, except those of Providence, continued firm. Although the excitement of 1839 did not equal that of 1837, there was a duller and completer despondency. It was at last known that the recuperative power of even our own proud and bounding country had limits.

Years were yet necessary to a recovery. But the presidential election would not, alas! wait years. With no faltering, however, Van Buren met Congress in December, 1839. He began his message with a regret that he could not announce a year of "unalloyed prosperity." There ought never, as presidential messages had run, to be any alloy in the prosperity of the American people. But the harvest, he said, had been exuberant, and after all (for the grapes of trade and manufacture were a little sour), the steady devotion of the husbandman was the surest source of national prosperity. A part of the $10,000,000 of treasury notes was still outstanding, and he hoped that they might be paid. We must not resort to the ruinous practice of supplying supposed necessities by new loans; a permanent debt was an evil with no equivalent. The expenditures for 1838, the first year over whose appropriations Van Buren had had control, had been less than those of 1837. In 1839 they had been $6,000,000 less than in 1838; and for 1840 they would be $5,000,000 less than in 1839. The collection and disbursement of public moneys by public officers rather than by banks had, since the bank suspensions in 1837, been carried on with unexpected cheapness and ease; and legislation was alone wanting to insure to the system the highest security and facility. Nothing daunted by the second disaster so lately clouding his political future, Van Buren sounded another blast against the banks. With unusual abundance of harvests, with manufactures richly rewarded, with our granaries and storehouses filled with surplus for export, with no foreign war, with nothing indeed to endanger well-managed banks, this banking disaster had come. The government ought not to be dependent on banks as its depositories, for the banks outside of New York and Philadelphia were dependent upon the banks in those great cities, and the latter banks in turn upon London, "the centre of the credit system." With some truth, but still with a touch of demagogy, venial perhaps in the face of the blatant and silly outcries against him from very intelligent and respectable people, he said that the founding of a new bank in a distant American village placed its business "within the influence of the money power of England." Let us then, he argued, have gold and silver and not bank-notes, at least in our public transactions; let us keep public moneys out of the banks. Again he attacked the national bank scheme. In 1817 and 1818, in 1823, in 1831, and in 1834 the United States Bank had swelled and maddened the tides of banking, but had seldom allayed or safely directed them. Turning with seemingly cool resolution, but with hidden anxiety, to the menacing distresses of the American voters, he did not flinch or look for fair or flattering words. We must not turn for relief, he said, to gigantic banks, or splendid though profitless railroads and canals. Relief was to be sought, not by the increase, but by the diminution of debt. The faith of States already pledged was to be punctiliously kept; but we must be chary of further pledges. The bounties of Providence had come to reduce the consequences of past errors. "But let it be indelibly engraved on our minds," he said, "that relief is not to be found in expedients. Indebtedness cannot be lessened by borrowing more money, or by changing the form of the debt."

The House of Representatives was so divided that its control depended upon whether five Whig or five Democratic congressmen from New Jersey should be admitted. They had been voted for upon a general ticket through the whole State; and the Whig governor and council had given the certificate of election to the Whigs by acquiescing in the actions of the two county clerks who had, for irregularities, thrown out the Democratic districts of South Amboy and Millville. A collision arose curiously like the dispute over the electoral returns from Florida and Louisiana in 1877. This exclusion of the two districts the Democrats insisted to have been wrongful; and not improbably with reason, for at the next election in 1839 the State, upon the popular vote, gave a substantial majority against the Whigs, although by the district division of the State a majority of the legislature were Whigs and reëlected the Whig governor. The clerk of the national House had, according to usage, prepared a roll of members, which he proceeded to call. He seems to have placed on the roll the names of the New Jersey representatives holding the governor's certificates. But before calling their names, he stated to the House that there were rival credentials; that he felt that he had no power to decide upon the contested rights; and that, if the House approved, he would pass over the names until the call of the other States was finished. The rival credentials included a record of the votes upon which the governor's certificate was presumed to be based. Objection was made to passing New Jersey, and one of the governor's certificates was read. The New Jerseymen with certificates insisted that their names should be called. The clerk declined to take any step without the authority of the House, holding that he was in no sense a chairman. He behaved in the case with modesty and decorum, and the savage criticisms upon him seem to have no foundation except this refusal of his to decide upon the *prima facie* right to the New Jersey seats, or to act as chairman except upon unanimous consent. He was clearly right. He had no power. The very roll he prepared, and his reading it, had no force except such as the House chose to give them. Upon any other theory he would practically wield an enormous power justified neither by the Constitution nor by any law. On the fourth day of tumult a simple and lawful remedy was discovered to be at hand. Any member could himself act as chairman to put his own motion for the appointment of a temporary speaker; and if a majority acquiesced, there was at once an organization without the clerk's aid. This was in precise accord with the attitude of the clerk, hotly abused as he was by Adams and others who adopted his position. So Adams proposed himself to put the question on his own motion to call the roll with the members holding certificates. Further confusion then ensued, which was terminated by Rhett of South Carolina, who moved that John Quincy Adams act as chairman until a speaker should be chosen. Rhett put his own motion, and it was carried. Adams took the chair, rules were adopted, and order succeeded chaos. None of the New Jerseymen were permitted to vote for speaker, but a few Calhoun Democrats refused to vote for the administration candidate. Most of the administration members offered to accept a Calhoun man; but a few of them, naturally angry at South Carolina dictation, refused, under Benton's advice, to vote for him. At last the Whigs joined the Calhoun men, and ended this extraordinary contest. The speaker, Robert M. T. Hunter, was a so-called states-rights man, and a supporter of the independent treasury scheme. He had the fortune, after a singularly varied and even important career in the United States and the Confederate States, to be appointed by President Cleveland to the petty place of collector of customs at Tappahannock, in Virginia, and to live among Americans who were familiar with his prominence fifty years ago, but supposed him long since dead. The clerk, Hugh A. Garland, was reëlected, in spite of what Adams in his diary, after his picturesque but utterly unjustifiable fashion, called the "baseness of his treachery to his trust." The Whig New Jerseymen were refused seats, and the apparent perversion of the popular vote was rightly defeated by seating their rivals. The Whigs posed as defenders of the sanctity of state authority, and sought, upon that political issue, to force the Van Buren men to be the apologists for centralization.

It was at this session that the sub-treasury bill was passed. As a sort of new declaration of independence Van Buren signed it on July 4, 1840. His long and honorable and his greatest battle was won. It was the triumph of a really great cause. The people, by their labor and capital, were to support the federal government as a mere agency for limited purposes. That government was not, in this way at least, to support or direct or control either the people or their labor or capital. But the captain fell at the time of his victory. The financial disaster of 1839 had exhausted the good-nature and patience of the people. Dissertations on finance and economics, however wise, now served to irritate and disgust. These cool admonitions to economy and a minding of one's business were popularly believed to be heartless and repulsive.

In 1840 took place the most extraordinary of presidential campaigns. While Congress was wrangling over the New Jersey episode in December, 1839, the Whig national convention again nominated Harrison for President. Tyler was taken from the ranks of seceding Democrats as the candidate for Vice-President. The slaughter of Henry Clay, the father of the Whig party, had been effected by the now formidable Whig politicians of New York, cunningly marshaled by Thurlow Weed. Availability had its first complete triumph in our national politics. They had not come, Governor Barbour of Virginia, the president of the Whig convention, said, to whine after the flesh-pots of Egypt, but to give perpetuity to Republican institutions. To reach this end (not very explicitly or intelligibly defined), it mattered not what letters of the alphabet spelled the name of the candidate; for his part, he could sing Hosanna to any alphabetical combination. No platform or declaration of principles was adopted, lest some of those discontented with Van Buren should find there a counter-irritant. The candidates, in accepting their nominations, refrained from political discussion. Harrison stood for the plain, honest citizen, coming, as one of the New York conventions said, "like another Cincinnatus from his plough," resolute for a generous administration, and ready to diffuse prosperity and to end hard times. Tyler, formerly a strict constructionist member of the Jackson party, was nominated to catch votes, in spite of his perfectly well known opposition to the whole Whig theory of government.

The Democratic, or Democratic-Republican, convention met at Baltimore on May 5, 1840. The party name was now definitely and exclusively adopted. Among the delegates were men long afterwards famous in the later Republican party, John A. Dix, Hannibal Hamlin, Simon Cameron. There was an air of despondency about the convention, for the enthusiasm over "log cabin and hard cider" was already abroad. But the convention without wavering announced its belief in a limited federal power, in the separation of public moneys from banking institutions; and its opposition to internal improvements by the nation, to the federal assumption of state debts, to the fostering of one industry so as to injure another, to raising more money than was required for necessary expenses of government, and to a national bank. Slavery now took for a long time its place in the party platform. The convention declared the constitutional inability of Congress to interfere with slavery in the States, and that all efforts of abolitionists to induce Congress to interfere with slavery were alarming and dangerous to the Union. An elaborate address to the people was issued. It began with a clear, and for a political campaign a reasonably moderate, defense of Van Buren's administration; it renewed the well-worn arguments for the limited activity of government; it made a silly assertion that Harrison was a Federalist, and an insinuation that the glory of his military career was doubtful; it denounced the abolitionists, whose fanaticism it charged the Whigs with enlisting in their cause. In closing, it recalled the Democratic revolution of 1800 which broke the "iron rod of Federal rule," and contrasted the "costly and stately pageants addressed merely to the senses" by the Whigs with the truth and reason of the Democracy.

During the canvass Van Buren submitted to frequent interrogation. In a fashion that would seem fatal to a modern candidate, he wrote to political friends and enemies alike, letter after letter, restating his political opinions. Especially was it sought to arouse Southern distrust of him. He was accused, with fire-eating anger, of having approved a sentence of a court-martial against a naval lieutenant which was based upon the testimony of negroes. He reiterated what he had already said upon slavery; but late in the canvass he went one step further. When asked his opinion as to the treatment by Congress of the abolition petitions, he replied, justly enough, that the President could have no concern with that matter; but lest he should be charged with "non-committalism," he declared that Congress was fully justified in adopting the "gag" rule. For years the petitions had been received and referred. On one occasion in each House the subject had been considered upon a report of a committee, and decided against the petitioners with almost entire unanimity. The rule had been adopted only after it was clear that the petitioners simply sought to make Congress an instrument of an agitation which might lead to a dissolution of the Union. It was thus that Van Buren made his extreme concession to the slavocracy. And there was obvious a material excuse. No president while in office could approve the perversion of legislative procedure from the making of laws to be a mere stimulant of moral excitement. To encourage or justify petitions intended to inflame public sentiment against a wrong might be legitimate for some men, however well they knew, as Adams said he knew, that the body addressed ought not to grant the petitioners' prayers. Such a course might be noble and praiseworthy for a private citizen, or possibly for a member of Congress representing the exalted moral sentiment of a single district. It would be highly illegitimate for a man holding a great public office, and there representing the entire people and its established system of laws. John Quincy Adams, under his sense of duty as president, had in 1828 pressed the humiliating claim that England should surrender American slaves escaped to English freedom; and there is little reason to doubt that, if he had remained in the field of responsible and executive public life, he would have agreed with Van Buren in his treatment of the matter of the abolition petitions, or rather in his expressions from the White House about them.

Harrison hastened to clear his skirts of abolitionism. Congress could not, he declared, abolish slavery in the District of Columbia without the consent of Virginia and Maryland and of the District itself. For, as he argued, ignobly applying, as well as misquoting, the American words solemnly lauded by Lord Chatham in his speech on Quartering Soldiers in Boston, "what a man has honestly acquired is absolutely his own, which he may freely give, but which cannot be taken from him without his consent." He denounced as a slander the charge that he was an abolitionist, or that the vote he had given against anti-slavery restriction in Missouri had violated his conscience. He declared for the right of petition, which indeed nobody disputed; but he did not say what course should be taken with the anti-slavery petitions, which was the real question to be answered. The discussion by the citizens of the free States of slavery in the slave States was not, he said, "sanctioned by the Constitution." "Methinks," he said at Dayton, "I hear a soft voice asking, Are you in favor of paper money? I am;" and to that there were "shouts of applause."

In no presidential canvass in America has there been, as Mr. Schurz well says in his life of Henry Clay, "more enthusiasm and less thought" than in the Whig canvass of 1840. The people were rushing as from a long restraint. Wise saws about the duties of government had become nauseating. A plain every-day man administering a paternal and affectionate government was the ruling text, while Tyler and his strict construction quietly served their turn with some of the doctrinaires at the South. The nation, Clay said, was "like the ocean when convulsed by some terrible storm." There was what he called a "rabid appetite for public discussions."

Webster's campaign speeches probably marked the height of the splendid and effectual flood of eloquence now poured over the land. The breeze of popular excitement, he said, with satisfactory magniloquence, was flowing everywhere; it fanned the air in Alabama and the Carolinas; and crossing the Potomac and the Alleghanies, to mingle with the gales of the Empire State and the mountain blasts of New England, would blow a perfect hurricane. "Every breeze," he declared, "says change; the cry, the universal cry, is for a change." He had not, indeed, been born in a log cabin, but his elder brothers and sisters had; he wept to think of those who had left it; and if he failed in affectionate veneration for him who raised it, then might his name and the name of his posterity be blotted from the memory of mankind. He touched the bank question lightly; he denounced the subtreasury as "the first in a new series of ruthless experiments," and declared that Van Buren's "abandonment of the currency" was fatal. Forgetting who had supported and who had opposed the continued distribution of surplus revenues among the States, he condemned the President for the low state of the treasury; and notwithstanding it declared his approval of a generous policy of internal improvements. He would not accuse the President of seeking to play the part of Cæsar or Cromwell because Mr. Poinsett, his secretary of war, had recommended a federal organization of militia, the necessity or convenience of which, it was supposed, had been demonstrated by the Canadian troubles; but the plan, he said, was expensive, unconstitutional, and dangerous to our liberties. He was careful to say nothing of slavery or the right of petition. Only in brief and casual sentences did he even touch the charges that Van Buren had treated political contests as "rightfully struggles for office and emolument," and that federal officers had been assessed in proportion to their salaries for partisan purposes. The President was pictured as full of cynical and selfish disregard of the people; he had disparaged the credit of the States; he had accused Madison, and, monstrous sacrilege, even Washington, of corruption. "I may forgive this," Webster slowly said to the appalled audience, "but I shall not forget it;" such "abominable violations of the truth of history" filled his bosom with "burning scorn." This was a highly imaginative allusion to Van Buren's statement that the national bank had been originally devised by the friends of privileged orders. Nor need the South, even Webster intimated, have any fear of the Whigs about slavery. Could the South believe that Harrison would "lay ruthless hands on the institutions among which he was born and educated?" No, indeed, for Washington and Hancock, Virginia and Massachusetts, had joined their thoughts, their hopes, their feelings. "How many bones of Northern men," he asked with majestic pathos, "lie at Yorktown?" Senator Rives, now one of the Conservatives, said that Van Buren was indeed "mild, smooth, affable, smiling;" but humility was "young and old ambition's ladder." The militia project meant military usurpation. Look at Cromwell, he said; look at Bonaparte. Were their usurpations not in the name of the people? Preston of South Carolina said that Van Buren had advocated diminished wages to others; now he should himself receive diminished wages. Harrison was, he said "a Southern man with Southern principles." As for Van Buren, this "Northern man with Southern principles," did he not come "from beyond the Hudson," had he not been "a friend of Rufus King, a Missouri restrictionist, a friend and advocate of free negro suffrage?" Clay said that it was no time "to argue;" a rule his party for the moment well observed. The nation had already pronounced upon the ravages Van Buren had brought upon the land, the general and widespread ruin, the broken hopes. With the mere fact of Harrison's election, "without reference to the measures of his administration," he told the Virginians at Hanover, "confidence will immediately revive, credit be restored, active business will return, prices of products will rise; and the people will feel and know that, instead of their servants being occupied in devising measures for their ruin and destruction, they will be assiduously employed in promoting their welfare and prosperity."

All this was far more glorious than the brutally true advice of the old man with a broad-axe on his shoulders, whom the Democrats quoted. When asked what was to become of everybody in the heavy distress of the panic, he answered, "Damn the panic! If you would all work as I do, you would have no panic." The people no longer cared about "the interested few who desire to enrich themselves by the use of public money." If, as the Democrats said, the interested few had been thwarted, an almost universal poverty had for some reason or other come with their defeat. Perhaps the reflecting citizen thought that he might become, if he were not already, one of the "interested few." Nor was the demagogy all on the side of the Whigs, although they enjoyed the more popular quality of the quadrennial product. Van Buren himself, in the futile fashion of aging parties which suppose that their ancient victories still stir the popular heart, recalled "the reign of terror" of the elder Adams, and how the "Samson of Democracy burst the cords which were already bound around its limbs," how "a web more artfully contrived, composed of a high protective tariff, a system of internal improvements, and a national bank, was then twined around the sleeping giant" until he was "roused by the warning voice of the honest and intrepid Jackson." Harrison's own numerous speeches were awkward and indefinite enough; but still they showed an honest and sincere man, and in the enthusiasm of the day they did him no harm.

The revolts against the severe party discipline of the Democracy, aided by the popular distress, were serious. Calhoun, indeed, had returned; but all his supporters did not return with him. The Southern defection headed by White in 1836 was still most formidable, and was now reënforced by the Conservative secession North and South. Even Major Eaton forgot Van Buren's gallantry ten years before, and joined the enemy. The talk of "spoils" was amply justified; but the abuses of patronage had not prevented Jackson's popularity, and under Van Buren they were far less serious. This cry did not yet touch the American people. The most serious danger of "spoils" still lay in the future. Patronage abuses had injured the efficiency of the public service, but they had not yet begun to defeat the popular will. Jackson came resolutely to Van Buren's aid in the fashionable letter-writing. "The Rives Conservatives, the Abolitionists and Federalists" had combined, the ex-President vivaciously said, to obtain power "by falsehood and slander of the basest kind;" but the "virtue of the people," he declared in what from other lips would have seemed cant, would defeat "the money power." Van Buren's firmness and ability entitled him, he thought, to a rank not inferior to Jefferson or Madison, while he rather unhandsomely added that he had never admired Harrison as a military man.

The Whig campaign was highly picturesque. Meetings were measured by "acres of men."

They gathered on the field of Tippecanoe. Revolutionary soldiers marched in venerable processions. Wives and daughters came with their husbands and fathers. There were the barrel of cider, the coon-skins, and the log cabin with the live raccoon running over it and the latch-string hung out; for Harrison had told his soldiers when he left them, that never should his door be shut, "or the string of the latch pulled in." Van Buren meantime, with an aristocratic sneer upon his face, was seated in an English carriage, after feeding himself from the famous gold spoons bought for the White House. Harrison was a hunter who had caught a fox before and would again; one of the county processions from Pennsylvania boasted, "Old Mother Cumberland — she'll bag the fox." Illinois would "teach the palace slaves to respect the log cabin." "Down with the wages, say the administration." "Matty's policy, fifty cents a day and French soup; our policy, two dollars a day and roastbeef." Newspapers were full of advertisements like this: "The subscriber will pay $5 a hundred for pork if Harrison is elected, and $2.50 if Van Buren is."

But the songs were most interesting. The ball, which Benton had said in his last speech on the expunging resolution that he "solitary and alone" had put in motion, was a mine of similes. They sang:

"With heart and soul
This ball we roll."

"As rolls the ball,
Van's reign does fall,
And he may look
To Kinderhook."

"The gathering ball is rolling still,
And still gathering as it rolls."

Harrison's battle with the Indians gave the effective cry of "Tippecanoe and Tyler too." And so they sang:

"Farewell, dear Van,
You 're not our man;
To guard the ship,
We 'll try old Tip."

"With Tip and Tyler
We"ll burst Van's biler."

"Old Tip he wears a homespun suit,
He has no ruffled shirt — wirt — wirt;
But Mat he has the golden plate,
And he 's a little squirt — wirt — wirt."

When the election returns began to come from the August and September States, the joyful excitement passed all bounds. Then the new Whigs found a new Lilliburlero. To the tune of the "Little Pig's Tail" they sang:

"What has caused this great commotion, motion, motion,
Our country through?
It is the ball a-rolling on,
For Tippecanoe and Tyler too, Tippecanoe and Tyler too!

"And with them we 'll beat little Van, Van;
Van is a used-up man.
Oh, have you heard the news from Maine, Maine, Maine,
All honest and true?
One thousand for Kent and seven thousand gain
For Tippecanoe," etc.

And then Joe Hoxie would close the meetings by singing "Up Salt River."

The result was pretty plain before November. New Hampshire, Connecticut, Rhode Island, and Virginia voted for state officers in the spring. All had voted for Van Buren in 1836; all now gave Whig majorities, except New Hampshire, where the Democratic majority was greatly reduced. In August North Carolina was added to the Whig column, though in Missouri and Illinois there was little change. But when in September Maine, which had given Van Buren nearly eight thousand majority, and had since remained steadfast, "went hell-bent for Governor Kent" and gave a slight Whig majority, the administration's doom was sealed.

Harrison received 234 electoral votes, and Van Buren 60. New York gave Harrison 13,300 votes more than Van Buren; but a large part of this plurality, perhaps all, came from the counties on the northern and western borders. Only one Northern State, Illinois, voted for Van Buren. Of the slave States, five, Virginia, South Carolina, Alabama, Missouri, and Arkansas, were for Van Buren; the other eight for Harrison. There was a popular majority in the slave States of about 55,000 against Van Buren in a total vote of about 695,000, and in the free States, of about 90,000 in a total vote of about 1,700,000, still showing, therefore, his greater popular strength in the free States. The increase in the popular vote was the most extraordinary the country has ever known, proving the depth and universality of the feeling. This vote had been about 1,500,000 in 1836; it reached about 2,400,000 in 1840, an increase of 900,000, while from 1840 to the Clay canvass of 1844 it increased only 300,000. Van Buren, as a defeated candidate in 1840, received about 350,000 votes more than elected him in 1836; and the growth of population in the four years was probably less, not greater, than usual. There were cries of "fraud and corruption" because of this enormously increased vote, cries which Benton long afterwards seriously heeded; but there seems to be no good reason to treat them otherwise than as one of the many expressions of Democratic anguish.

Van Buren received the seemingly crushing defeat with dignity and composure. While the cries of "Van, Van, he 's a used-up man," were coming with some of the sting of truth through the White House windows, he prepared the final message with which he met Congress in December, 1840. The year, he said, had been one of "health, plenty, and peace." Again he declared the dangers of a national debt, and the equal dangers of too much money in the treasury; for "practical economy in the management of public affairs," he said, "can have no adverse influence to contend with more powerful than a large surplus revenue." Again he attacked the national bank scheme. During four years of the greatest pecuniary embarrassments ever known in time of peace, with a decreasing public revenue, with a formidable opposition, his administration had been able punctually to meet every obligation without a bank, without a permanent national debt, and without incurring any liability which the ordinary resources of the government would not speedily discharge. If the public service had been thus independently sustained without either of these fruitful sources of discord, had we not a right to expect that this policy would "receive the final sanction of a people whose unbiased and fairly elicited judgment upon public affairs is never ultimately wrong?" Again with a clear emphasis he declared against any attempt of the government to repair private losses sustained in private business, either by direct appropriations or by legislation designed to secure exclusive privileges to individuals or classes. In the very last words of this, his last message, he gave an account of his efforts to suppress the slave trade, and to prevent "the prostitution of the American flag to this inhuman purpose," asking Congress, by a prohibition of the American trade which took supplies to the slave factories on the African coast, to break up "those dens of iniquity."

The short session of Congress was hardly more than a jubilee of the Whigs, happily ignorant of the complete chagrin and frustration of their hopes which a few months would bring. Some new bank suspensions occurred in Philadelphia, and among banks closely connected with that city. The Bank of the United States, after a resumption for twenty days, succumbed amid its own loud protestations of solvency, its final disgrace and ruin being, however, deferred a little longer.

Van Buren's cabinet had somewhat changed since his inauguration. In 1838 his old friend and ally, and one of the chief champions of his policy, Benjamin F. Butler, resigned the office of attorney-general, but without any break political or personal, as was seen in his fine and arduous labors in the canvass of 1840 and in the Democratic convention of 1844. Felix Grundy of Tennessee then held the place until late in 1839, when he resigned. Van Buren offered it, though without much heartiness, to James Buchanan, who preferred, however, to retain his seat in the Senate; and Henry D. Gilpin, another Pennsylvanian, was appointed. Amos Kendall's enormous industry and singular equipment of doctrinaire convictions, narrow prejudices, executive ability, and practical political skill and craft, were lost to the administration through the failure of his health in the midst of the campaign of 1840. In an address to the public he gave a curious proof that for him work was more wearing in public than in private service. He stated that as he was poor he should resort to private employment suitable to his health; and that he proposed, therefore, during the canvass to write for the "Globe" in defense of the President, in whose integrity, principles, and firmness his confidence, he said, had increased. In 1838, when his health had threatened to be unequal to his work, Van Buren had offered him the mission to Spain, if it should become vacant. John M. Niles, formerly a Democratic senator from Connecticut, took Kendall's place in the post-office.

Van Buren welcomed Harrison to the White House, and before the inauguration entertained him there as a guest, with the easy and dignified courtesy so natural to him, and in marked contrast to the absence of social amenities on either side at the great change twelve years before. Under Van Buren indeed the executive mansion was administered with elevated grace. There was about it, while he was its master, the unostentatious elegance suited to the dwelling of the chief magistrate of the great republic. There were many flings at him for his great economy, and what was called his parsimony; but he was accused as well of undemocratic luxury. The talk seemed never to end over the gold spoons. The contradictory charges point out the truth. Van Buren was an eminently prudent man. He did not indulge in the careless and useless waste which impoverished Jefferson and Jackson. By sensible and honorable economy he is said to have saved one half of the salary of $25,000 a year then paid to the President.[1] Returning to private life, he was spared the humiliation of pecuniary trouble, which had distressed three at least of his predecessors. But with his exquisite sense of propriety, he had not failed to order the White House with fitting decorum and a modest state. His son Abraham Van Buren was his private secretary; and after the latter's marriage, in November, 1838, to Miss Singleton of South Carolina, a niece of Andrew Stevenson, and a relation of Mrs. Madison, he and his wife formed the presidential family. In 1841 they accompanied the ex-President to his retirement at Lindenwald.

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[1] It should be remembered that several great expenses of the White House were then and are now met by special and additional appropriations.

Under Andrew Jackson the social air of the White House had suffered from his ill-health and the bitterness of his partisanship; and in this respect the change to his successor was most pleasing. Van Buren used an agreeable tact with even his strongest opponents; and about his levees and receptions there were a charm and a grace by no means usual in the dwellings of American public men. He had, we are told in the Recollections of Sargent, a political adversary of his, "the high art of blending dignity with ease and gravity." He introduced the custom of dining with the heads of departments and foreign ministers, although with that exception he observed the etiquette of never being the guest of others at Washington. Judge Story mentions the "splendid dinner" given by the President to the judges in January, 1839.

John Quincy Adams's diary bears unintended testimony to Van Buren's admirable personal bearing in office. From the time he reached Washington as secretary of state, he had treated Adams in his defeat with marked distinction and deference, which Adams, as he records, accepted in his own house, in the White House, and elsewhere. At a social party the President, he said, "was, as usual, courteous to all, and particularly to me." Van Buren had therefore every reason to suppose that there was between himself and Adams a not unfriendly personal esteem. But Adams, in his churlish, bitter temper, apparently found in these wise and generous civilities only evidence of a mean spirit. After one visit at the White House during the height of the crisis of 1837, he recorded that he found Van Buren looking, not wretched, as he had been told, but composed and tranquil. Returning home from this observation of the President's "calmness, his gentleness of manner, his easy and conciliatory temper," this often unmannerly pen described besides "his obsequiousness, his sycophancy, his profound dissimulation and duplicity, . . . his fawning civility." In a passage which was remarkable in that time of political bitterness so largely personal, Clay said, in his parliamentary duel with Calhoun, after the latter rejoined the Democratic party, that he remembered Calhoun attributing to the President the qualities of "the most crafty, most skulking, and the meanest of the quadruped tribe." Saying that he had not shared Calhoun's opinion, he then added of Van Buren: —

> "I have always found him in his manner and deportment, civil, courteous, and gentlemanly; and he dis-

penses in the noble mansion which he now occupies, one worthy the residence of the chief magistrate of a great people, a generous and liberal hospitality. An acquaintance with him of more than twenty years' duration has inspired me with a respect for the man, although I regret to be compelled to say, I detest the magistrate."

CHAPTER XI

EX-PRESIDENT. — SLAVERY. — TEXAS ANNEXATION. DEFEAT BY THE SOUTH. — FREE-SOIL CAMPAIGN. — LAST YEARS

VAN BUREN loitered at Washington a few days after his presidency was over, and on his way home stopped at Baltimore, Philadelphia, and New York. At New York he was finely welcomed. Amid great crowds he was taken to the City Hall in a procession headed by Captain Brown's corps of lancers and a body of armed firemen. He reached Kinderhook on May 15, 1841, there to make his home until his death. He had, after the seemly and pleasing fashion of many men in American public life, lately purchased, near this village among the hills of Columbia county, the residence of William P. Van Ness, where Irving had thirty years before lived in seclusion after the death of his betrothed, and had put the last touches to his Knickerbocker. It was an old estate, whose lands had been rented for twenty years and under cultivation for a hundred and sixty, and from which Van Buren now managed to secure a profit. To this seat he gave the name of Lindenwald, a name which in secret he probably hoped the American people would come to group with Monticello, Montpellier, and the Hermitage. But this could not be. Van Buren had served but half the presidential term of honor. He was not a sage, but still a candidate for the presidency. Before the electoral votes were counted in 1841, Benton declared for his renomination in 1844; and until the latter year he again held the interesting and powerful but critical place of the probable candidate of his party for the presidency. He remained easily the chief figure in the Democratic ranks. His defeat had not taken from him that honor which is the property of the statesman standing for a cause whose righteousness and promise belong to the assured future. His defeat signified no personal, no political fault. It had come to him from a widespread convulsion for which, perhaps less than any great American of his time, he was responsible. His party could not abandon its battle for a limited and non-paternal government and against the use of public moneys by private persons. It could not therefore abandon him; for more than any other man who had not now finally retired he represented these causes in his own person. But his easy composure of manner did not altogether hide that eating and restless anxiety which so often attends the supreme ambition of the American.

Two days after leaving the White House, Van Buren said, in reply to complimentary resolutions of the legislature of Missouri, that he did not utterly lament the bitter attacks upon him; for experience had taught him that few political men were praised by their foes until they were about abandoning their friends. With a pleasing frankness he admitted that to be worthy of the presidency and to reach it had been the object of his "most earnest desire;" but he said that the selection of the next Democratic candidate must be decided by its probable effect upon the principles for which they had just fought, and not upon any supposition that he had been wounded or embittered by his defeat in their defense. His description of a candidate meant himself, however, and rightly enough. In November, 1841, he wrote of the "apparent success of last year's buffoonery;" and intimated that, though he would take no step to be a candidate, it was not true that he had said he should decline a nomination.

Early in 1842, the ex-President made a trip through the South, in company with James K. Paulding, visiting on his return Clay at Ashland, and Jackson at the Hermitage. He was one of the very few men on personally friendly terms with both those long-time enemies. At Ashland, doubtless, Texas was talked over, even if a bargain were not made, as has been fancied, that Clay and Van Buren should remove the troublesome question from politics. In a fashion very different from that of modern candidates, he now wrote, from time to time, able, long, and explicit, but somewhat tedious letters on political questions. In one of them he touched protection more clearly than ever before.

He favored, he said in February, 1843, a tariff for revenue only; the "incidental protection" which that must give many American manufacturers was all the protection which should be permitted; the mechanics and laborers had been the chief sufferers from a "high protective tariff." He was at last and definitely "a low tariff man." He declared that he should support the Democratic candidate of 1844; for he believed it to be impossible that a selection from that source should not accord with his views. He did not perhaps realize to how extreme a test his sincerity would be put. He added words which four years later read strangely enough. "My name and pretensions," he said, "however subordinate in importance, shall never be at the disposal of any person whatever, for the purpose of creating distractions or divisions in the Democratic party."

The party was indeed known as the "Van Buren party" until 1844, so nearly universal was the supposition that he was to be renominated, and so plainly was he its leader. The disasters which had now overtaken the Whigs made his return to power seem probable enough. The utterly incongruous elements held together during the sharp discontent and wonderful but inarticulate enthusiasm of 1840 had quickly fallen apart. While on his way to Kinderhook Van Buren was the chief figure in the obsequies at New York of his successful competitor. This honest man, of whom John Quincy Adams said, with his usual savage exaggeration, that his dull sayings were repeated for wit and his grave inanity passed off for wisdom, had already quarreled with the splendid leader whose place he was too conscious of usurping. Tyler's accession was the first, but not the last illustration, which American politicians have had of the danger of securing the presidency by an award of the second place to a known opponent of the principles whose success they seek. Tyler had not before his nomination concealed his narrow and Democratic views of government. The Whigs had ostentatiously refused to declare any principles when they nominated him. In technical conscientiousness he marched with a step by no means cowardly to unhonored political isolation, as a quarter of a century later marched another vice-president nominated by a party in whose ranks he too was a new recruit.

Upon Tyler's veto of the bill for a national bank, an outcry of agony went up from the Whigs; the whole cabinet, except Webster, resigned; a new cabinet was formed, partly from the Conservatives; and by 1844, Tyler was a forlorn candidate for the Democratic nomination, which he claimed for his support of the annexation of Texas.

Upon this first of the great pro-slavery movements Van Buren was defeated for the Democratic nomination in 1844, although it seemed assured to him by every consideration of party loyalty, obligation, and wise foresight. The relations of government to private business ceased to be the dominant political question a few months and only a few months too soon to enable Van Buren to complete his eight years. Slavery arose in place of economics.

No mistake is more common in the review of American history than to suppose that slavery was an active or definite force in organized American politics after the Missouri Compromise and before the struggle for the annexation of Texas under Tyler's administration. The appeals of the abolitionists to the simpler and deeper feelings of humanity were indeed at work before 1835; and from that year on they were profoundly stirring the American conscience and storing up tremendous moral energy. But slavery was not in partisan politics. In 1836 and 1840 there was upon slavery no real difference between the utterances of the candidates and other leaders, Whig and Democratic, whether North or South. Van Buren was supported by many abolitionists; the profoundest distrust of him was at the South. Upon no question touching slavery with which the president could have concern, did his opinions or his utterances differ from those of John Quincy Adams. Clay said in November, 1838, that the abolitionists denounced him as a slaveholder and the slaveholders denounced him as an abolitionist, while both united on Van Buren. The charge of truckling to the South, traditionally made against Van Buren, is justified by no utterance or act different from those made by all American public men of distinction at the time, except perhaps in two instances, — his vote as vice-president for Kendall's bill against sending inflammatory abolition circulars through the post-office to States which prohibited their circulation, and his approval of the rules in the Senate and House for tabling or refusing abolition petitions without reading them. But neither of these, as has been shown, was a decisive test. In the first case he met a political trick; and for his vote there was justly much to be said on the reason of the thing, apart from Southern wishes. As late as 1848, Webster, in criticising Van Buren's inconsistency, would say no more of the law than that it was one "of very doubtful propriety;" and declared that he himself should agree to legislation by Congress to protect the South "from incitements to insurrection." In the second case Van Buren's position in public life might of itself properly restrain him from acquiescing in an agitation in Congress for measures which, with all responsible public men, Adams included, he believed Congress ought not to pass.

The Democratic convention was to meet in May, 1844. The delegates had been very generally instructed for Van Buren; and two months before it assembled his nomination seemed beyond doubt. But the slave States were now fired with a barbarous enthusiasm to extend slavery by annexing Texas. To this Van Buren was supposed to be hostile. His Southern opponents, in February, 1843, skillfully procured from Jackson, innocent of the plan, a strong letter in favor of the annexation, to be used, it was said, just before the convention, "to blow Van out of water." The letter was first published in March, 1844. Van Buren was at once put to a crucial test. His administration had been adverse to annexation; his opinion was still adverse. But a large, and not improbably a controlling section of his party, aided by Jackson's wonderful prestige, deemed it the most important of political causes. Van Buren was, according to the plan, explicitly asked by a Southern delegate to state, with distinct reference to the action of the convention, what were his opinions.

The ex-President deeply desired the nomination; and the nomination seemed conditioned upon his surrender. It was at least assured if he now gave no offense to the South. But he did not flinch. He resorted to no safe generalizations. His views upon the annexation were, he admitted, different from those of many friends, political and personal: but in 1837 his administration after a careful consideration had decided against annexation of the State whose independence had lately been recognized by the United States; the situation had not changed: immediate annexation would place a weapon in the hands of those who looked upon Americans and American institutions with distrustful and envious eyes, and would do us far more real and lasting injury than the new territory, however valuable, could repair. He intimated that there was jobbery in some of the enthusiasm for the annexation. The argument that England might acquire Texas was without force: when England sought in Texas more than the usual commercial favors, it would be time for the United States to interfere. He was aware, he said, of the hazard to which he exposed his standing with his Southern fellow-citizens, "of whom it was aptly and appropriately said by one of their own number that 'they are the children of the sun and partake of its warmth.'" But whether we stand or fall, he said, it is always true wisdom as well as true morality to hold fast to the truth. If to nourish enthusiasm were one of the effects of a genial climate, it seldom failed to give birth to a chivalrous spirit. To preserve our national escutcheon untarnished had always been the unceasing solicitude of Southern statesmen. The only tempering he gave his refusal was to say that if, after the subject had been fully discussed, a Congress chosen with reference to the question showed the popular will to favor it, he would yield.[1]

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[1] I must again complain of the curious though unintended unfairness of Professor Von Holst (*Const. Hist. of the U. S.* 1828–1846, Chicago, 1879, p. 663). He treats this letter with great contempt. He assumes indeed that Van Buren's declaration for annexation would have given him the nomination; and admits that Van Buren declared himself "decidedly opposed to annexation." After this sufficient proof of courage, for Van Buren could at least have simply promised to adopt the vote of Congress on the main question, it was not very sensible to declare "disgusting" Van Buren's efforts "to creep through the thorny hedge which shut him off from the party nomination." Professor Von Holst's "disgust" seems particularly directed against the passage here annotated where, after his strong argument against annexation, he declared that he would not be influenced by sectional feeling, and would obey the wishes of a Congress chosen with reference to the question. Few, I think, will consider this

Van Buren thus closed his letter: "Nor can I in any extremity be induced to cast a shade over the motives of my past life, by changes or concealments of opinions maturely formed upon a great national question, for the unworthy purpose of increasing my chances for political promotion."

To a presidential candidate the eve of a national convention is dim with the self-deceiving twilight of sophistry; and the twilight deepens when a question is put upon which there is a division among those who are, or who may be, his supporters. He can keep silence, he can procure the questioning friend to withdraw the troublesome inquiry; he can ignore the question from an enemy; he can affect an enigmatical dignity. Van Buren did neither of these. His Texas letter was one of the finest and bravest pieces of political courage, and deserves from Americans a long admiration.

The danger of Van Buren's difference with Jackson it was sought to avert. Butler visited Jackson at the Hermitage, and doubtless showed him for what a sinister end he had been used. Jackson did not withdraw his approval of annexation; but publicly declared his regard for Van Buren to be so great, his confidence in Van Buren's love of country to be so strengthened by long intimacy, that no difference about Texas could change his

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promise with reference to such a question, either cowardly or "disgusting," made, as it was, by a candidate for the presidency, of a democratic republic, after clearly and firmly declaring his own views in advance of the congressional elections.

opinions. Van Buren's nomination was again widely supposed to be assured. But the work of Calhoun and Robert J. Walker had been too well done. The convention met at Baltimore on May 27, 1844. George Bancroft headed the delegation from Massachusetts. Before the Rev. Dr. Johns had "fervently addressed the Throne of Grace" or the Rev. Mr. McJilton had "read a scripture lesson," the real contest took place over the adoption of the rule requiring a two thirds vote for a nomination. For it was through this rule that enough Southern members, chosen before Van Buren's letter as they had been, were to escape obedience to their instructions to vote for him. Robert J. Walker, then a senator from Mississippi, a man of interesting history and large ability, led the Southerners. He quoted the precedent of 1832, when Van Buren had been nominated for the vice-presidency under the two thirds rule, and that of 1835, when he had been nominated for the presidency. These nominations had led to victory. In 1840 the rule had not been adopted. Without this rule, he said amid angry excitement, the party would yield to those whose motto seemed to be "rule or ruin." Butler, Daniel S. Dickinson, and Marcus Morton led the Northern ranks. Butler regretted that any member should condescend to the allusion to 1840. That year, he said, had been a debauchery of the nation's reason amid log cabins, hard cider, and coon-skins; and in an ecstasy of painful excitement at the recollection and amid a tremendous burst of applause "he leaped from the floor and stamped . . . as if treading beneath his feet the object of his loathing." The true Democratic rule, he continued, required the minority to submit to the majority. Morton said that under the majority rule Jefferson had been nominated; that rule had governed state, county, and township conventions. Butler admitted that under the rule Van Buren would not be nominated, although a majority of the convention was known to be for him. In 1832 and 1835 the two thirds rule had prevailed because it was certainly known who would be nominated; and the rule operated to aid not to defeat the majority. If the rule were adopted, it would be by the votes of States which were not Democratic, and would bring "dismemberment and final breaking up of the party." Walker laughed at Butler's "tall vaulting" from the floor; and, refusing to shrink from the Van Buren issue, he protested against New York dictation, and warningly said that, if Van Buren were nominated, Clay would be elected. After the convention had received with enthusiasm a floral gift from a Democratic lady whom the President declared to be fairer than the flowers, the vote was taken. The two thirds rule was adopted by 148 to 118. All the negatives were Northerners, except 14 from Missouri, Maryland, and North Carolina. Fifty-eight true "Northern men with Southern principles" joined ninety Southerners in the affirmative. It was really a vote on Van Buren, — or rather upon the annexation of Texas, — or rather still upon the extension of American slave territory. It was the first battle, a sort of Bull Run, in the last and great political campaign between the interests of slavery and those of freedom.

On the first ballot for the candidate, Van Buren had 146 votes, 13 more than a majority. If after the vote on the two thirds rule anything more were required to show that some of these votes were given in mere formal obedience to instructions, the second ballot brought the proof. Van Buren then sank to 127, less than a majority; and on the seventh ballot to 99. A motion was made to declare him the nominee as the choice of a majority of the convention; and there followed a scene of fury, the President bawling for order amid savage taunts between North and South, and bitter denunciations of the treachery of some of those who had pledged themselves for Van Buren. Samuel Young of New York declared the "abominable Texas question" to be the fire-brand thrown among them by the "mongrel administration at Washington," whose hero was now doubtless fiddling while Rome was burning. Nero seems to have been Calhoun, though between the god-like young devil of antiquity wreathed with sensual frenzy and infamy, and the solemn, even saturnine figure of the great modern advocate of human slavery, the likeness seemed rather slight. The motion was declared out of order; and the name of James K. Polk was presented as that of "a pure whole-hogged Democrat." On the eighth ballot he had 44 votes. Then followed the magnanimous scene of "union and harmony" which has so often, after a conflict, charmed a political body into unworthy surrender. The great delegation from New York retired during the ninth balloting; and returned to a convention profoundly silent but thrilling with that bastard sense of coming glory in which a lately tumultuous and quarreling body waits the solution of its difficulties already known to be reached but not yet declared. Butler quoted a letter which Van Buren had given him authorizing the withdrawal of his name if it were necessary for harmony; he eulogized Polk as a strict constructionist, and closed by reading a letter from Jackson fervently urging Van Buren's nomination. Daniel S. Dickinson said that "he loved this convention because it had acted so like the masses," and cast New York's 35 votes for Polk. The latter's nomination was declared with the utmost joy, and sent to Washington over Morse's first telegraph line, just completed. Silas Wright of New York, Van Buren's strong friend and a known opponent of annexation, was, in the fashion since followed, nominated for the vice-presidency, to soothe the feelings and the conscience of the defeated. Wright peremptorily telegraphed his refusal. He told his friends that he did "not choose to ride behind on the black pony." George M. Dallas of Pennsylvania took his place.

The Democratic party now threw away all advantage of the issue made by the undeserved defeat four years before. Thirty-six years later it repeated the blunder in discarding Van Buren's famous neighbor and disciple. Polk's was the first nomination by the party of a man of the second or of even a lower rank. Polk was known to have ability inferior not only to that of Van Buren and Calhoun, but to Cass, Buchanan, Wright, and others. He was the first presidential "dark horse," and indeed hardly that. His own State of Tennessee had, by resolution, presented him as its choice for vice-president with Van Buren in the first place. He had been speaker of the national House, and later, governor of his State; but since holding these places had been twice defeated for governor. In accepting the nomination he declared, with an apparent fling at Van Buren, that, if elected, he should not accept a renomination, and should thus enable the party in 1848 to make "a free selection."

The nomination aroused disgust enough. "Polk! Great God, what a nomination!" Letcher, the Whig governor of Kentucky, wrote to Buchanan. But the experiment of 1840 with the Whigs had been disastrous; the people had swung back to the strict doctrines of the Democracy. Van Buren faithfully kept his promise to support the nomination; under his urgency Wright finally accepted the nomination for governor of New York. And by the vote of New York Henry Clay was defeated by a man vastly his inferior. Polk had 5000 plurality in that State; but Wright had

10,000. Had not James G. Birney, the abolitionist candidate who polled there 15,812 votes, been in the field, not even Van Buren's party loyalty would have prevented Clay's election. Van Buren's friends saved the State; but in doing so voted for annexation. In April, 1844, Clay had written a letter against annexation. As it appeared within a few days of Van Buren's letter, and as the personal relations between the two great party leaders were most friendly, some have inferred an arrangement between them to take the question out of politics. This would indeed have been an extraordinary occurrence. One might well wish to have overheard a negotiation between two rivals for the presidency to exclude a great question distasteful to both. After the Democratic convention, Tyler's treaty of annexation was rejected in the Senate by 35 to 16, six Democrats from the North, among them Wright of New York .and Benton of Missouri, voting against it. During the campaign Clay had weakly abandoned even the mild emphasis of his first opposition, and by flings at the abolitionists had openly bid for the pro-slavery vote; thus perhaps losing enough votes in New York to Birney to defeat him. After the election the current for annexation seemed too strong; and a resolution passed both Houses authorizing the admission of Texas as a State. The resolution provided for the formation of four additional States out of Texas. In any such additional State formed north of the

Missouri compromise line, slavery was to be prohibited; but in those south of it slavery was to be permitted or prohibited as the inhabitants might choose.

Slavery was now clearly before the political conscience of the nation. Van Buren was the conspicuous victim of the first encounter. The Baltimore convention had in its platform complimented "their illustrious fellow-citizen," "his inflexible fidelity to the Constitution," his "ability, integrity, and firmness," and had tendered to him, "in honorable retirement," the assurance of the deeply-seated "confidence, affection, and respect of the American Democracy." This sentence to "honorable retirement" Van Buren, who was only in his sixty-second year and in the amplitude of his natural powers, received with outward complacency. On the eve of the election he pointed out, probably referring to Cass, that the hostility to him had not been in the interest of Polk, and warmly said that, unless the Democratic creed were a delusion, personal feelings ought to be turned to nothing. Van Buren was, however, profoundly affected by what he deemed the undeserved Southern hostility to himself. For he hardly yet appreciated that his defeat was politically legitimate, and not the result of political treachery or envy. Between him and the Southern politicians had opened a true and deep division over the greatest single question in American politics since Jefferson's election.

With Polk's accession and the Mexican war, the schism in the Democratic ranks over the extension of American slave territory became plainer. Even during the canvass of 1844 a circular had been issued by William Cullen Bryant, David Dudley Field, John W. Edmonds, and other Van Buren men, supporting Polk, but urging the choice of congressmen opposed to annexation. Early in the new administration the division of New York Democrats into "Barnburners" and "Old Hunkers" appeared. The former were the strong pro-Van Buren, anti-Texas men, or "radical Democrats," who were likened to the farmer who burned his barn to clear it of rats. The latter were the "Northern men with Southern principles," the supporters of annexation, and the respectable, dull men of easy consciences, who were said to hanker after the offices. The Barnburners were led by men of really eminent ability and exalted character: Silas Wright, then governor, Benjamin F. Butler, John A. Dix, chosen in 1845 to the United States Senate, Azariah C. Flagg. the famous comptroller, and John Van Buren, the ex-President's son, and a singularly picturesque figure in politics, who was, in 1845, made attorney-general by the legislature. He had been familiarly called "Prince John" since his travels abroad during his father's presidency. Daniel S. Dickinson and William L. Marcy were the chief figures in the Hunker ranks. Polk seemed inclined, at the beginning, to favor or at least to placate, the Barnburners. He offered the Treasury to Wright, though he is said to have known that Wright could not leave the governorship. He offered Butler the War Department, but the latter's devotion to his profession, for which he had resigned the attorney-general's place in Van Buren's cabinet, made him prefer the freedom of the United States attorneyship at New York, and Marcy was finally given the New York place in the cabinet. Jackson's death in June, 1845, deprived the Van Buren men of the tremendous moral weight which his name carried, and which might have daunted Polk. It perhaps also helped to loosen the weight of party ties on the Van Buren men. After this the schism rapidly grew. In the fall election of 1845 the Barnburners pretty thoroughly controlled the Democratic party of the State in hostility to the Mexican war, which the annexation of Texas had now brought. Samuel J. Tilden of Columbia county, and a profound admirer of Van Buren, became one of their younger leaders.

Now arose the strife over the "Wilmot Proviso," in which was embodied the opposition to the extension of slavery into new Territories. Upon this proviso the modern Republican party was formed eight years later; upon it, fourteen years later, Abraham Lincoln was chosen president; and upon it began the war for the Union, out of whose throes came the vastly grander and unsought beneficence of complete emancipation. David Wilmot was a Democratic member of Congress from Pennsylvania; in New York he would have been a Barnburner. In 1846 a bill was pending to appropriate $2,000,000 for use by the President in a purchase of territory from Mexico as part of a peace. Wilmot proposed an amendment that slavery should be excluded from any territory so acquired. All the Democratic members, as well as the Whigs from New York, and most strongly the Van Buren or Wright men, supported the proviso. The Democratic legislature approved it by the votes of the Whigs with the Barnburners and the Soft Hunkers, the latter being Hunkers less friendly to slavery. It passed the House at Washington, but was rejected by the Senate, not so quickly open to popular sentiment. In the Democratic convention of New York, in October, 1846, the "war for the extension of slavery" was charged by the Barnburners on the Hunkers. The former were victorious, and Silas Wright was renominated for governor, to be defeated, however, at the election. Polk, Marcy, and Dickinson, angered at the Democratic opposition in New York to the pro-slavery Mexican policy, now threw all the weight of federal patronage against the Barnburners, many of whom believed the administration to have been responsible for Wright's defeat. Van Buren and his influence were completely separated from the national administration. Just before the adjournment of Congress in 1847, the appropriation to secure territory from Mexico was again proposed. Again the Wilmot Proviso was added in the

House; again it was rejected in the Senate, to the defeat of the appropriation; and again Barnburners and Whigs carried in the New York legislature a resolution approving it, and directing the New York senators to support it.

The tide was rising. It seemed that Mexican law prohibited slavery in New Mexico and California, and that upon their cession the principles of international law would preserve their condition of freedom. Benton, therefore, deemed the Wilmot Proviso unnecessary; a "thing of nothing in itself, and seized upon to conflagrate the States and dissolve the Union." For the Supreme Court had not then pronounced slavery a necessary accompaniment of American supremacy. But the legal protection of freedom was practically unsubstantial, even if not technical; there could be no doubt of the determination of the South to carry slavery into these Territories, whatever might be the obligations of either municipal or international law; and their conquest, therefore, made imminent a decision of the vital question whether slavery should be still further extended.

At the Democratic convention at Syracuse, in September, 1847, the Hunkers, after a fierce struggle over contested seats, seized control of the body. David Dudley Field, for the Barnburners, proposed a resolution that, although the Democracy of New York would faithfully adhere to the compromises of the Constitution and maintain the reserved rights of the States, they would still declare, since the crisis had come, "their uncompromising hostility to the extension of slavery into territory now free." This was defeated. The Barnburners then seceded, and issued an address, in which Lawrence Van Buren, the ex-President's brother, joined. They protested that the anti-slavery resolution had been defeated by a fraudulent organization of the convention, and called a mass meeting at Herkimer, on October 26, "to avow their principles and consult as to future action." The Herkimer convention was really an important preliminary to the formation of the modern Republican party. It was a gathering of the ex-President's friends. Cambreleng, his old associate, presided; David Wilmot addressed the meeting; and John Van Buren, now very conspicuous in politics, reported the resolutions. In these the fraud at Syracuse was again denounced; a convention was called for Washington's birthday in 1848, to choose Barnburner delegates to contest the seats of those chosen by the Hunkers in the national Democratic convention. It was declared that the freemen of New York would not submit to slavery in the conquered provinces; and that, against the threat of Democrats at the South that they would support no candidate for the presidency who did not assent to the extension of slavery, the Democrats of New York would proclaim their determination to vote for no candidate who did so assent.

It was clear that Van Buren sympathized with all this. Relieved from the constraint of power, there strongly revived his old hostility to slavery; he recalled his vote twenty-eight years before against admitting Missouri otherwise than free. He now perceived how profound had really been the political division between him and the Southern Democrats when, in 1844, he wrote his Texas letter. Ignoring the legitimate character of the politics of Polk's administration in denying official recognition or reward to Barnburners, — legitimate if, as Van Buren had himself pretty uniformly maintained, patronage should go to friends rather than enemies, and if, as was obvious, there had arisen a true political division upon principles, — Van Buren was now touched with anger at the proscription of his friends. Excluded from the power which ought to have belonged to the chief of Democrats enjoying even in "honorable retirement" the "confidence, affection, and respect" of his party, independence rapidly grew less heinous in his eyes. One can hardly doubt that there now more freely welled up in his mind, to clarify its vision, the sense of personal wrong which, since Polk's nomination, had been so long held in magnanimous and dignified restraint, — though of this he was probably unconscious. Van Buren was not insincere when, in October, 1847, he wrote from Lindenwald to an enthusiastic Democratic editor in Pennsylvania, who had hoisted his name to the top of his columns for 1848. Whatever, he said, had been his aspirations in the past, he now had no desire to be President; every day confirmed him in the political opinions to which he had adhered. Conscious of always having done his duty to the people to the best of his ability, he had "no heart burnings to be allayed and no resentments to be gratified by a restoration of power." Life at Lindenwald was entirely adapted to his taste; and he was (so he wrote, and so doubtless he had forced himself to think) "sincerely and heartily desirous to wear the honors and enjoyments of private life uninterruptedly to the end." If tendered a unanimous Democratic support with the assurance of the election it would bring, he should not "hesitate respectfully and gratefully, but decidedly to decline it," adding, however, the proviso so precious to public men, "consulting only my own feelings and wishes." It was in the last degree improbable, he said, — and so it was, — that any emergency should arise in which this indulgence of his own preferences would, in the opinion of his true and faithful friends, conflict with his duty to the party to which his whole life had been devoted, and to which he owed any personal sacrifice. The Mexican war had, he said, been so completely sanctioned by the government that it must be carried through; and, he ominously added, the propriety of thereafter instituting inquiries into the necessity of its occurrence, so as to fix the just responsibility to public opinion of public servants, was then out of season. Not a word of praise did he speak of Polk's administration; in this he was for once truly and grimly "non-committal."

In the New York canvass of 1847, the Barnburners, after their secession, "talked of indifferent matters." The Whigs were therefore completely successful. In the legislature the Barnburners, or "Free-soilers" as they began to be called, outnumbered the Hunkers. Dickinson proposed in the Senate at Washington a resolution, the precursor of Douglas's "squatter sovereignty," — that all questions concerning the domestic policy of the Territories should be left to their legislatures to be chosen by their people. Lewis Cass, now the coming candidate of the South, asserted in December, 1847, the same proposition, pointing out that, if Congress could abolish the relation of master and servant in the Territories, it might in like manner creat the relation of husband and wife. After this "Nicholson letter" of his, Cass might well have been asked whether he would have approved the admission of a State where the last relation was forbidden, and where concubinage existed as a "domestic institution." Dickinson's proposal meant that the first settlers of each Territory should determine it to freedom or to slavery; it meant that in admitting new States the nation ought to be indifferent to their laws on slavery. If slavery were a mere incident in the polity of the State, a matter of taste or convenience, the proposition would have been true enough. But euphemistic talk about "domestic institutions" blinded none but theorists or lovers of slavery to the truth that slavery was a fearful and barbarous power, and that it must become paramount in any new Southern State, monstrous and corrupting in its tendencies towards savagery, unyielding, wasteful, and ruinous, — a power whose corruption and savagery, whose waste and ruin, debauched and enfeebled all communities closely allied to the States which maintained it, — a power in whose rapid growth, in whose affirmative and dictatorial arrogance, and in the intellectual ability and even the moral excellences of the aristocracy which administered it at the South, there was an appalling menace. As well might one propose the admission to political intimacy and national unity of a State whose laws encouraged leprosy or required the funeral oblations of the suttee. If there were already slave States in the confederacy, it was no less true that the nation had profoundly suffered from their slavery. Nor could all the phrases of constitutional lawyers make the slave-block, the black laws, and all the practices of this barbarism mere local peculiarities, distasteful perhaps to the North but not concerning it, peculiarities to be ranked with laws of descent or judicial procedure. Cass and Dickinson for their surrender to the South were now called "dough-faces" and "slavocrats" by the Democratic Free-soilers. They were the true "Northern men with Southern principles."

The Barnburners met at Utica on February 16, an earlier day than that first appointed, John Van Buren again being the chief figure. The convention praised John A. Dix for supporting the Wilmot Proviso; and declared that Benton, a senator from a slave State, but now a sturdy opponent of extending the evil, and long the warm friend and admirer of Van Buren, had "won a proud preëminence among the statesmen of the day." Delegates were chosen to the national convention to oppose the Hunkers. In April, 1848, the Barnburner members of the legislature issued an address, the authors of which were long afterwards disclosed by Samuel J. Tilden to be himself and Martin and John Van Buren. At great length it demonstrated the Free-soil principles of the Democratic fathers.

The national convention assembled in May, 1848. It offered to admit the Barnburner and Hunker delegations together to cast the vote of the State. The Barnburners rejected the compromise as a simple nullification of the vote of the State, and then withdrew. Lewis Cass was nominated for president, the Wilmot Proviso being thus emphatically condemned. For Cass had declared in favor of letting the new Territories themselves decide upon slavery. The Barnburners, returning to a great meeting in the City Hall Park at New York, cried, "The lash has resounded through the halls of the Capitol!" and condemned the cowardice of Northern senators who had voted with the South. Among the letters read was one from Franklin Pierce, who had in 1844 voted against annexation, a letter which years afterwards was, with a reference to his famous friend and biographer, called the "Scarlet Letter." The delegates issued an address written by Tilden, fearlessly calling Democrats to independent action. In June a Barnburner convention met at Utica. Its president, Samuel Young, who had refused at the convention at Baltimore in 1844 to vote for Polk when the rest of his delegation surrendered, said that if the convention did its duty, a clap of political thunder would in November "make the propagandists of slavery shake like Belshazzar." Butler, John Van Buren, and Preston King, afterwards a Republican senator, were there. David Dudley Field read an explicit declaration from the ex-President against the action and the candidates of the national convention. This letter, whose prolixity is an extreme illustration of Van Buren's literary fault, created a profound impression. He declared his "unchangeable determination never again to be a candidate for public office." The requirement by the national convention that the New York delegates should pledge themselves to vote for any candidate who might be nominated was, he said, an indignity of the rankest character. The Virginia delegates had been permitted, without incurring a threat of exclusion, to declare that they would not support a certain nominee. The convention had not allowed the Democrats of New York fair representation, and its acts did not therefore bind them.

The point of political regularity, when discussed upon a technical basis, was, however, by no means clear. The real question was whether the surrender of the power of Congress over the Territories, and the refusal to use that power to exclude slavery, accorded with Democratic principles. On this Van Buren was most explicit. Jefferson had proposed freedom for the Northwest Territories; and all the representatives from the slaveholding States had voted for the ordinance. Not only Washington and the elder and younger Adams had signed bills imposing freedom as the condition of admitting new Territories or States, but those undoubted Democrats, Jefferson, Madison, Monroe, and Jackson, had signed such bills; and so had he himself in 1838 in the case of Iowa. This power of Congress was part of "the compromises of the Constitution," compromises which, "deeply penetrated" as he had been "by the convictions that slavery was the only subject that could endanger our blessed Union," he had, he was aware, gone further to sustain against Northern attacks than many of his best friends approved. He would go no further. As the national convention had rejected this old doctrine of the Democracy, he should not vote for its candidate, General Cass; and if there were no other candidate but General Taylor, he should not vote for president. If our ancestors, when the opinion and conduct of the world about slavery were very different, had rescued from slavery the territory now making five great States, should we, he asked, in these later days, after the gigantic efforts of Great Britain for freedom, and when nearly all mankind were convinced of its evils, doom to slavery a territory from which as many more new States might be made. He counseled moderation and forbearance, but still a firm resistance to injustice.

This powerful declaration from the old chief of the Democracy was decisive with the convention. Van Buren was nominated for president, and Henry Dodge, a Democratic senator of Wisconsin, for vice-president. Dodge, however, declined, proud though he would be, as he said, to have his name under other circumstances associated with Van Buren's. But his State had been represented in the Baltimore convention; and as one of its citizens he cordially concurred in the nomination of Cass. A national convention was called to meet at Buffalo on August 9, 1848.

Charles Francis Adams, the son of John Quincy Adams, presided at the Buffalo convention; and in it Joshua R. Giddings, the famous abolitionist, and Salmon P. Chase were conspicuous. To the unspeakable horror of every Hunker there participated in the deliberations a negro, the Rev. Mr. Ward. Butler reported the resolutions in words whose inspiration is still fresh and ringing. They were assembled, it was said, "to secure free soil for a free people;" the Democratic and Whig organizations had been dissolved, the one by stifling the voice of a great constituency, the other by abandoning its principles for mere availability. Remembering the example of their fathers in the first declaration of independence, they now, putting their trust in God, planted themselves on the national platform of freedom in opposition to the sectional platform of slavery; they proposed no interference with slavery in any State, but its prohibition in the Territories then free; for Congress, they said, had "no more power to make a slave than to make a king." There must be no more compromises with slavery. They accepted the issue forced upon them by the slave power; and to its demand for more slave States and more slave Territories, their calm and final answer was, "no more slave States and no more slave territory." At the close were the stirring and memorable words: "We inscribe on our banner, Free Soil, Free Speech, Free Labor, and Free Men; and under it we will fight on and fight ever, until a triumphant victory shall reward our exertions."

Joshua Leavitt of Massachusetts, one of the "blackest" of abolitionists, reported to the convention the name of Martin Van Buren for president. After the convention was over, even Gerrit Smith, the ultra-abolitionist candidate, declared that, of all the candidates whom there was the least reason to believe the convention would nominate, Van Buren was his preference. The nomination was enthusiastically made by acclamation, after Van Buren had on an informal ballot received 159 votes to 129 cast for John P. Hale. A brief letter from Van Buren was read, declaring that his nomination at Utica had been against his earnest wishes; that he had yielded because his obligation to the friends, who had now gone so far, required him to abide by their decision that his name was necessary to enable "the ever faithful Democracy of New York to sustain themselves in the extraordinary position into which they have been driven by the injustice of others;" but that the abandonment at Buffalo of his Utica nomination would be most satisfactory to his feelings and wishes. The exclusion of slavery from the Territories was an object, he said, "sacred in the sight of heaven, the accomplishment of which is due to the memories of the great and just men long since, we trust, made perfect in its courts." Charles Francis Adams was nominated for vice-president; and dazzled and incredulous eyes beheld on a presidential ticket with Martin Van Buren the son of one of his oldest and bitterest adversaries. That adversary had died a few months before, the best of his honors being his latest, those won in a querulous but valiant old age, in a fiery fight for freedom.

In September, John A. Dix, then a Democratic senator, accepted the Free-soil nomination for governor of New York. The Democratic party was aghast. The schismatics had suddenly gained great dignity and importance. Martin Van Buren, the venerable leader of the party, its most famous and distinguished member, this courtly, cautious statesman, — could it be he rushing from that "honorable retirement," to whose safe retreat his party had committed him with so deep an affection, to consort with long-haired and wild-eyed abolitionists! He was the arch "apostate," leading fiends of disunion who would rather rule in hell than serve in heaven. Where now was his boasted loyalty to the party? Rage struggled with loathing. All the ancient stories told of him by Whig enemies were revived, and believed by those who had long treated them with contempt. It is clear, however, that Van Buren's attitude was in no wise inconsistent with his record. His party had never pronounced for the extension of slavery; nor had he. The Buffalo convention was silent upon abolition in the District of Columbia. There was for the time in politics but one question, and that was born of the annexation of Texas, — Shall slavery go into free territory? As amid the clash of arms the laws are stilled, so in the great fight for human freedom, the independent treasury, the tariff, and internal improvements could no longer divide Americans.

The Whigs had in June nominated Taylor, one of the two heroes of the Mexican war. It is a curious fact that Taylor had been authoritatively sounded by the Free-soil leaders as to an acceptance of their nomination. Clay and Webster were now discarded by their party for this bluff soldier, a Louisiana slaveholder of unknown politics; and with entire propriety and perfect caution the Whigs made no platform. A declaration against the extension of slavery was voted down. Webster said at Marshfield, after indignation at Taylor's nomination had a little worn away, that for "the leader of the Free-*spoil* party" to "become the leader of the Free-soil party would be a joke to shake his sides and mine." The anti-slavery Whigs hesitated for a time; but Seward of New York and Horace Greeley in the New York "Tribune" finally led most of them to Taylor rather than, as Seward said, engage in "guerrilla warfare" under Van Buren. Whigs must not, he added, leave the ranks because of the Whig affront to Clay and Webster. "Is it not," he finely, though for the occasion sophistically, said, "by popular injustice that greatness is burnished?" This launching of the modern Republican party was, strangely enough, to include in New York few besides Democrats. In November, 1847, the Liberty or Abolition party nominated John P. Hale for president; but upon Van Buren's nomination he was withdrawn.

Upon the popular vote in November, 1848, Van Buren received 291,263 votes, while there were 1,220,544 for Cass and 1,360,099 for Taylor. Van Buren had no electoral votes. In no State did he receive as many votes as Taylor; but in New York, Massachusetts, and Vermont he had more than Cass. The vote of New York was an extraordinary tribute to his personal power; he had 120,510 votes to 114,318 for Cass; and it was clear that nearly all the former came from the Democratic party. In Ohio he had 35,354 votes, most of which were probably drawn from the Whig abolitionists.

In Massachusetts he had 38,058 votes, in no small part owing to the early splendor, the moral austerity and elevation of Charles Sumner's eloquence. "It is not," he said, "for the Van Buren of 1838 that we are to vote; but for the Van Buren of to-day, — the veteran statesman, sagacious, determined, experienced, who, at an age when most men are rejoicing to put off their armor, girds himself anew and enters the lists as champion of Freedom." Taylor had 163 electoral votes and Cass 127.

The political career of Van Buren was now ended. It is mere speculation whether he had thought his election a possible thing. That he should think so was very unlikely. Few men had a cooler judgment of political probabilities; few knew better how powerful was party discipline in the Democratic ranks, for no one had done more to create it; few could have appreciated more truly the Whig hatred of himself. Still the wakening rush of moral sentiment was so strong, the bitterness of Van Buren's Ohio and New York supporters had been so great at his defeat in 1844, that it seemed not utterly absurd that those two States might vote for him. If they did, that dream of every third party in America might come true, — the failure of either of the two great parties to obtain a majority in the electoral college, and the consequent choice of president in the House, where each of them might prefer the third party to its greater rival. Ambition to reënter the White

House could indeed have had but the slightest influence with him when he accepted the Free-soil nomination. Nor was his acceptance an act of revenge, as has very commonly been said. The motives of a public man in such a case are subtle and recondite even to himself. No distinguished political leader with strong and publicly declared opinions, however exalted his temper, can help uniting in his mind the cause for which he has fought with his own political fortunes. If he be attacked, he is certain to honestly believe the attack made upon the cause as well as upon himself. When his party drives him from a leadership already occupied by him, he may submit without a murmur; but he will surely harbor the belief that his party is playing false with its principles. In 1848 there was a great and new cause for which Van Buren stood, and upon which his party took the wrong side; but doubtless his zeal burned somewhat hotter, the edge of his temper was somewhat keener, for what he thought the indignities to himself and his immediate political friends. To say this is simply to pronounce him human. His acceptance of the nomination was given largely out of loyalty to those friends whose advice was strong and urgent. It was the mistake which any old leader of a political party, who has enjoyed its honors, makes in the seeming effort — and every such political candidacy at least seems to be such an effort — to gratify his personal ambition at its expense. Van Buren and his friends should have made another take the nomination, to which his support, however vigorous, should have gone sorrowfully and reluctantly; and the form as well as the substance of his relations to the canvass should have been without personal interest.

Had Van Buren died just after the election of 1848 his reputation to-day would be far higher. He had stood firmly, he had suffered politically, for a clear, practical, and philosophical method and limitation of government; he had adhered with strict loyalty to the party committed to this method, until there had arisen the cause of human freedom, which far transcended any question still open upon the method or limits of government. With this cause newly risen, a cause surely not to leave the political field except in victory, he was now closely united. He might therefore have safely trusted to the judgment of later days and of wiser and truer-sighted men, growing in number and influence every year. His offense could never be pardoned by his former associates at the South and their allies at the North. No confession of error, though it were full of humiliation, no new and affectionate return to party allegiance, could make them forget what they sincerely deemed astounding treason and disastrous sacrilege. Loyal remembrance of his incomparable party services had irretrievably gone, to be brought back by no reasoning and by no persuasion. If he were to live, he should not have wavered from his last position. Its righteousness was to be plainer and plainer with the passing years.

Van Buren did live, however, long after his honorable battle and defeat; and lived to dim its honor by the faltering of mistaken patriotism. In 1849, John Van Buren, during the efforts to unite the Democratic party in New York, declared it his wish to make it "the great anti-slavery party of the Union." Early in 1850 and when the compromise was threatened at Washington, he wrote to the Free-soil convention of Connecticut that there had never been a time when the opponents of slavery extension were more urgently called to act with energy and decision or to hold their representatives to a rigid responsibility, if they faltered or betrayed their trust. With little doubt his father approved these utterances. A year later, however, the ex-President, with nearly all Northern men, yielded to the soporific which Clay in his old age administered to the American people. In their support of the great compromise between slavery and freedom, Webster and Clay forfeited much of their fame, and justly. For though the cause of humanity gained a vast political advantage in the admission of California as a free State, the advantage, it was plain, could not have been long delayed had there been no compromise. But the rest of the new territory was thrown into a struggle among its settlers, although the power of Congress over the Territories was not yet denied; and a fugitive-slave law of singular atrocity was passed. All the famous Northern Whigs were now true "doughfaces." Fillmore, president through Taylor's death, one of the most dignified and timid of their number, signed the compromise bills.

The compromise being passed, Van Buren with almost the entire North submissively sought to believe slavery at last expelled from politics. It would have been a wise heroism, it would have given Van Buren a clearer, a far higher place with posterity, if after 1848 he had even done no more than remain completely aloof from the timid politics of the time, if he had at least refused acquiescence in any compromise by which concessions were made to slavery. But he was an old man. He shared with his ancient and famous Whig rivals that intense love and almost adoration of the Union, upon which the arrogant leaders of the South so long and so successfully played. The compromise was accomplished. It would perhaps be the last concession to the furious advance of the cruel barbarism. The free settlers in the new Territories would, he hoped, by their number and hardihood, defeat the incoming slave-owners, and even under "squatter sovereignty" save their homes from slavery. If the Union should now stand without further disturbance, all might still come right without civil war. Economic laws, the inexorable and beneficent progress of civilization, would perhaps begin, slowly indeed but surely, to press to its death this remnant of ancient savagery. But if the Union were to be broken by a violation of the compromise, a vast and irremediable catastrophe and ruin would undo all the patriotic labors of sixty years, would dismiss to lasting unreality the dreams of three generations of great men who had loved their country. It seemed too appalling a responsibility.

Upon all this reasoning there is much unfair modern judgment. The small number of resolute abolitionists, who cared little for the Union in comparison with the one cause of human rights, and whose moral fervor found in the compromises of the Constitution, so dear and sacred to all American statesmen, only a covenant with hell, may for the moment be ignored. Among them there was not a public man occupying politically responsible or widely influential place. The vast body of Northern sentiment was in two great classes. The one was led by men like Seward, and even Benton, who considered the South a great bully. They believed that to a firm front against the extension of slavery the South would, after many fire-eating words, surrender in peace. The other class included most of the influential men of the day, some of them greater men, some lesser, and some little men. Webster, Clay, Cass, Buchanan, Marcy, Douglas, Fillmore, Dickinson, were now joined by Van Buren and by many Free-soil men of 1848 daunted at the seeming slowness with which the divine mills were grinding. They believed that the South, to assert the fancied "rights" of their monstrous wrong, would accept disunion and even more, that in this cause it would fiercely accept all the terrors of a civil war and its limitless devastation. The event proved the first men utterly in the wrong; and it was fortunate that their mistake was not visible until in 1861 the battle was irreversibly joined. The second and more numerous class were right. There had to be yielding, unless such evils were to be let loose, unless Webster's "ideas, so full of all that is horrid and horrible," were to come true. The anxiety not to offend the South was perhaps most strikingly shown after the election of Lincoln. A distinguished statesman of the modern Republican party has recently pointed out[1] that in February, 1861, the Republican members of Congress, and among them Charles Sumner and Thaddeus Stevens, acquiesced in the organization of the new Territories of Colorado, Dakota, and Nevada, without any prohibition of slavery, thus ignoring the very principle and the only principle upon which their great battle had been fought and their great victory won.

Complete truth dwelt only with the small and hated abolitionist minority. Without honored and influential leaders in political life they alone saw that war with all these horrors was better, or even a successful secession was better, than further surrender of human rights, a surrender whose corruption and barbarism would cloud all the glories, and destroy all the beneficence of the Union. No historical judgment has been more unjust and partial than the implied condemnation of Van

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[1] James G. Blaine's *Twenty Years*, vol. i. pp. 269, 272.

Buren for his acquiescence in Clay's compromise, while only gentle words have chided the great statesmen whose eloquence was more splendid and inspiring but whose devotion to the Union was never more supreme than Van Buren's, — statesmen who had made no sacrifice like his in 1844, who in their whitening years had taken no bold step like his in 1848, and who had in 1850 actively promoted the surrender to which Van Buren did no more than submit after it was accomplished.

In 1852 the overwhelming agreement to the compromise brought on a colorless presidential campaign, fought in a sort of fool's paradise. Its character was well represented by Franklin Pierce. the second Democratic mediocrity raised to the first place in the party and the land, and by the absurd political figure of General Scott, fitly enough the last candidate of the decayed Whig party. Both parties heartily approved the compromise, but it mattered little which of the two candidates were chosen. The votes cast for John P. Hale, the Free-soil candidate, were as much more significant and honorable as they were fewer than those cast for Pierce or Scott. Van Buren, in a note to a meeting in New York, declared that time and circumstances had issued edicts against his attendance, but that he earnestly wished for Pierce's election. He attempted no argument in this, perhaps the shortest political letter he ever wrote. But John Van Buren, in a speech at Albany, gave some reasons which prevent much condemnation of his father's perfunctory acquiescence in the action of his party. The movement of 1848, he said, had been intended to prevent the extension of slavery. Since then, California had come in, a Free State, and not, as the South had desired, a slave State; and "the abolition of the slave market in the District of Columbia was another great point gained." The poverty of reasons was shown in the eager insistence that every member of Congress from New Hampshire had voted against slavery extension, and that the Democratic party now took its candidate from that State "without any pledges whatever."

After this election Van Buren spent two years in Europe. President Pierce tendered him the position of the American arbitrator upon the British-American claims commission established under the treaty of February 8, 1853, but he declined. During his absence the South secured the Kansas-Nebraska bill, the repeal of the Missouri Compromise, and the practical opening to slavery of the new Territories north of the line of 36° 30′. If the settlers of Kansas, which lay wholly on the free side of that compromise line, desired slavery, they were to have it. But even this was not sufficient. The hardy settlers of this frontier, separated though they were by the slave State of Missouri from free soil and free influences, would, it now seemed, pretty certainly favor freedom. The ermine of the Supreme Court had, therefore, to be used to sanctify with the Dred Scott decision the last demand of slavery, inconsistent though it was with the claims of the South from the time when it secured the Missouri Compromise until Calhoun grimly advanced his monstrous propositions. Slavery was to be decreed a constitutional right in all Territories, whose exercise in them Congress was without power to prohibit, and which could not be prevented even by the majority of their settlers until they were admitted as States.

Van Buren came back to America when there was still secret within the judicial breast the momentous decision that the American flag carried human slavery with it to conquered territory as a necessary incident of its stars and stripes, and that Congress could not, if it would, save the land to freedom. Van Buren voted for Buchanan; a vote essentially inconsistent with his Free-soil position, a vote deeply to be regretted. He still thought that free settlers would defeat the intention of the Kansas-Nebraska act, and bring in, as they afterwards did, a free though bleeding Kansas. There was something crude and menacing in this new Republican party, and in its enormous and growing enthusiasm. It was hard to believe that its candidate had been seriously selected for chief magistrate of the United States. Fremont probably seemed to Van Buren a picturesque sentimentalist leading the way to civil war, which, if it were to come, ought, so it seemed to this former senator and minister and president, to be led in by serious and disciplined statesmen. The new party was repulsive to him as a body chiefly of Whigs; old and bitter adversaries whom he distrusted, with hosts of camp-followers smelling the coming spoils. All this a young man might endure, when he saw the clear fact that the Republican convention, ignoring for the time all former differences, had pronounced not a word inconsistent with the Democratic platform of 1840, and had made only the one declaration essential to American freedom and right, that slavery should not go into the Territories. Van Buren was not, however, a young man, or one of the few old men in whom a fiery sense of morality, and an eager and buoyant resolution, are unchilled by thinner and slower blood, and indomitably overcome the conservative influences of age. A bold outcry from him, even now, would have placed him for posterity in one of the few niches set apart to the very greatest Americans. But since 1848 Van Buren had come to seventy-four years.

Invited to the Tammany Hall celebration of Independence Day, he wrote, on June 28, 1856, a letter in behalf of Buchanan. There was no diminution in explicit clearness; but hope was nearly gone; the peril of the Union obscured every other danger; the South was so threatening that patriotism seemed to him to require at the least a surrender to all that had passed; and for the future our best reliance would be upon a fair vote in Kansas between freedom and slavery. He could not come to its meeting, he told Tammany Hall, because of his age. He had left one invitation unanswered;

and if he were so to leave another, he might be suspected of a desire to conceal his sentiments. But this letter should be his last, as it was his first, appearance in the canvass. He was glad of the Democratic reunion; for although not always perfectly right, in no other party had there been "such exclusive regard and devotion to the maintenance of human rights and the happiness and welfare of the masses of the people." There was a touch of age in his fond recitals of the long services of that party since, in Jefferson's days, it had its origin with "the root-and-branch friends of the Republican system;" of its support of the war of 1812; of its destruction of the national bank; of its establishment of an independent treasury. But slavery, he admitted, was now the living issue. Upon that he had no regrets for his course. He had always preferred the method of dealing with that institution practiced by the founders of the government. He lamented the recent departure from that method; no one was more sincerely opposed than himself to the repeal of the Missouri Compromise. He had heard of it, and condemned it in a foreign land; he had there foreseen the disastrous reopening of the slavery agitation. But the measure was now accomplished; there was no more left than to decide what was the best now to do. The Kansas-Nebraska act had, he said, gradually become less obnoxious to him; though this impression, he admitted, might result from the unanimous acquiescence in it of the party in which he had been reared. Its operation, he trusted, would be beneficial; and he had now come to believe that the feelings and opinions of the free States would be more respected under its provisions than by specific congressional interference. He did not doubt the power of Congress to enable the people of a Territory to exclude slavery. Buchanan's pledge to use the presidential power to restore harmony among the sister States could be redeemed in but one way; and that was, to secure to the actual settlers of the Territory a "full, free, and practical enjoyment" of the rights of suffrage on the slavery question conferred by the act. He praised Buchanan, if not exuberantly, still sufficiently. He must, Van Buren thought, be solicitous for his reputation in the near "evening of his life." He believed that Buchanan would redeem his pledge, and should therefore cheerfully support him. If Buchanan were elected, there were "good grounds for hope" that the Union might be saved. Such was this saddening and despondent letter. It was a defense of a vote which it was rather sorry work that he should have needed to make. But the tramp of armies and the conflagration of American institutions were heard and seen in the sky with terrifying vividness. The letter secured, however, no forgiveness from the angry South. The "Richmond Whig" said: "If there is a man within the limits of the Republic who is cordially abhorred and detested by intelligent and patriotic men of all parties at the South, that man is Martin Van Buren."

Many of the best Americans shared Van Buren's distrust of Fremont and of those who supported Fremont; they shared his love of peace and his fear of that bloodshed, North and South, which seemed the dismal El Dorado to which the "pathfinder's" feet were surely tending. So the majority of the Northern voters thought; for those north of Mason and Dixon's line who divided themselves between Buchanan and Fillmore, the candidate of the "Silver Gray" Whigs, considerably outnumbered the voters for Fremont.

In 1860 Van Buren voted for the union electoral ticket which represented in New York the combined opposition to Lincoln. Every motive which had influenced him in 1856 had now increased even more than his years. The Republican party was not only now come bringing, it seemed, the torch in full flame to light an awful conflagration; but in its second national convention there became obvious upon the tariff question the preponderance of the Whig elements, which made up the larger though not the more earnest or efficient body of its supporters.

After Van Buren's return from Europe in 1855, he lived in dignified and gracious repose. This complete and final escape from the rush about him had often seemed in his busy strenuous years full of delight. But doubtless now in the peaceful pleasures of Lindenwald and in the occasional glimpses of the more crowded social life of New York which was glad to honor him, there were the regrets and slowly dying impatience, the sense of isolation, which must at the best touch with some sadness the later and well-earned and even the best-crowned years. At this time he began writing memoirs of his life and times, which were brought down to the years 1833–1834; but they were never revised by him and have not been published. Out of this work grew a sketch of the early growth of American parties, which was edited by his sons and printed in 1867. Its pages do not exhibit the firm and logical order which was so characteristic of Van Buren's political compositions. It was rather the reminiscence of the political philosophy which had completely governed him. With some repetitions, but in an easy and interesting way, he recalled the far-reaching political differences between Jefferson and Hamilton. In these chapters of his old age are plain the profound and varied influences which had been exercised over him by the great founder of his party, and his unquenchable animosity towards "the money power" from the days of the first secretary of the treasury to its victory of "buffoonery" in 1840. In one chapter, with words rather courtly but still not to be mistaken, he condemns Buchanan for a violation of the principles of Jefferson and Jackson in accepting the Dred Scott decision as a rule of political action; and this the more because its main conclusion was unnecessary to adjudge Dred Scott's rights in that suit, and because its announcement was part of a political scheme. Chief Justice

Taney and Buchanan, Van Buren pointed out, though raised to power by the Democratic party, had joined it late in life, "with opinions formed and matured in an antagonist school." Both had come from the Federalist ranks, whose political heresy Van Buren believed to be hopelessly incurable.

At the opening of the civil war Van Buren's animosity to Buchanan's behavior became more and more marked. He strongly sympathized with the uprising of the North; and sustained the early measures of Lincoln's administration. But he was not to see the dreadful but lasting and benign solution of the problem of American slavery. His life ended when the fortunes of the nation were at their darkest; when McClellan's seven days' battle from the Chickahominy to the James was just over, and the North was waiting in terror lest his troops might not return in time to save the capital. For several months he suffered from an asthmatic attack, which finally became a malignant catarrh, causing him much anguish. In the latter days of his sickness his mind wandered; but when sensible and collected he still showed a keen interest in public affairs, expressed his confidence in President Lincoln and General McClellan, and declared his faith that the rebellion would end without lasting damage to the Union.

On July 24, 1862, he died, nearly eighty years old, in the quiet summer air at Lindenwald, the noise of battle far away from his green lawns and clumps of trees. In the ancient Dutch church at Kinderhook the simple funeral was performed; and a great rustic gathering paid the last and best honor of honest and respectful grief to their old friend and neighbor. For his fame had brought its chief honor to this village of his birth, the village to which in happy ending of his earthly career he returned, and where through years of well-ordered thrift, of a gentle and friendly hospitality, and of interesting and not embittered reminiscence, he had been permitted

"To husband out life's taper at the close,
And keep the flame from wasting by repose."

CHAPTER XII

VAN BUREN'S CHARACTER AND PLACE IN HISTORY

In the engraved portrait of Van Buren in old age, prefixed to his "History of Parties," are plainly to be seen some of his traits, — the alert outlooking upon men, the bright, easy good-humor, the firm, self-reliant judgment. Inman's painting, now in the City Hall of New York,[1] gives the face in the prime of life, — the same shrewd, kindly expression, but more positively touched with that half cynical doubt of men which almost inevitably belongs to those in great places. The deep wrinkles of the old and retired ex-president were hardly yet incipient in the smooth, prosperous, almost complacent countenance of the governor. In the earlier picture the locks flared outwards from the face, as they did later; as yet, however, they were dark and a bit curling. His form was always slender and erect, but hardly reached the middle height, so that to his political enemies it was endless delight to call him "Little Van."

In the older picture one sees a scrupulous daintiness about the ruffled shirt and immaculate neckerchief; for Van Buren was fond of the elegance of life. The Whigs used to declare him an aristocrat, given to un-American, to positively British splendor. Very certainly he never affected contempt for the gracious and stately refinement suited to his long held place of public honor, that contempt which a silly underrating of American good sense has occasionally commended to our statesmen. At Lindenwald, among books and guests and rural cares, he led what in the best and truest sense was the life of a country gentleman, not set like an urban exotic among the farmers, but fond of his neighbors as they were fond of him, and unaffectedly sharing without loss of distinction or elegance their thrifty and homely cares. When he retired to this home he was able, without undignified or humiliating shifts, to live in ease and even affluence. For in 1841 his fortune of perhaps $200,000 was a generous one. His last days were not, like those of Jefferson and Monroe and Jackson, embittered by money anxieties, the penalty of the careless profusion the temptation to which, felt even by men wise in the affairs of others, is often greater than the certain danger and unwisdom of its indulgence. But no suggestion was breathed against his pecuniary integrity, public or private. Nor was there heard of him any story of wrong or oppression or ungenerous dealing.

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[1] An engraving of this portrait accompanies Holland's biography, written for the campaign of 1836.

Van Buren's extraordinary command of himself was apparent in his manners. They are finely described from intimate acquaintance by William

Allen Butler, the son of Van Buren's long-time friend, in his charming and appreciative sketch printed just after Van Buren's death. They had, Mr. Butler said, a neatness and polish which served every turn of domestic, social, and public intercourse. "As you saw him once, you saw him always — always punctilious, always polite, always cheerful, always self-possessed. It seemed to any. one who studied this phase of his character as if, in some early moment of destiny, his whole nature had been bathed in a cool, clear, and unruffled depth, from which it drew this life-long serenity and self-control." An accomplished English traveler, "the author of 'Cyril Thornton,'" who saw him while secretary of state, and before he had been abroad, said that he had more of "the manner of the world" than any other of the distinguished men at Washington; that in conversation he was "full of anecdote and vivacity." Chevalier, one of our French critics, in his letters from America described him as setting up "for the American Talleyrand." John Quincy Adams, as has been said, sourly mistook all this, and even the especial courtesy Van Buren paid him after his political downfall, as mere proof of insincerity; and he more than once compared Van Buren to Aaron Burr, a comparison of which many Democrats were fond after 1848. In his better-natured moments, however, Adams saw in his adversary a resemblance to the conciliatory and philosophic Madison. For his "extreme caution in avoiding and averting personal collisions," he called him another Sosie of Molière's "Amphitryon," "ami de tout le monde."

Van Buren's skill in dealing with men was indeed extraordinary. It doubtless came from this temper of amity, and from an inborn genius for society; but it had been wonderfully sharpened in the unrivaled school of New York's early politics. When he was minister at London, he wrote that he was making it his business to be cordial with prominent men on both sides; a branch of duty, he said, in which he was not at home, because he had all his life been "wholly on one side." But he was jocosely unjust to himself. He was, for the politics of his day, abundantly fair to his adversaries. Sometimes indeed he saw too much of what might be said on the other side. Had he seen less, he would sometimes have been briefer, less indulgent in formal caution. Nor did he fail to avoid the unnecessary misery caused to many public men, the obstacles needlessly raised in their way, by personal disputes, or by letting into negotiations matters of controversy irrelevant to the thing to be done. Patience in listening, a steady and singularly acute observance of the real end he sought, and a quick, keen reading of men, saved him this wearing unhappiness so widespread in public life. Once he thus criticised his friend Cambreleng: "There is more in small matters than he is always aware of, although he is a really sensible and useful man." In this maxim of lesser things Van Buren was carefully practiced. During the Jackson-Adams campaign, the younger Hamilton was about sending to some important person an account of the general. Van Buren, knowing of this, wrote to Hamilton, and, after signing his letter, added: "P. S. — Does the old gentleman have prayers in his own house? If so, mention it modestly."

His self-command was not stilted or unduly precise or correct. He was very human. A candidate for governor of New York would to-day hardly write to another public man, however friendly to him, as Van Buren in August and September, 1828, wrote to Hamilton. "Bet on Kentucky, Indiana, and Illinois," he said, "jointly if you can, or any two of them; don't forget to bet all you can." But this was the fashion of the day.[1] His life was entirely free from the charges of dissipation or of irregular habits, then so commonly, and often truly, made against great men. This very correctness was part of the offense he gave his rivals and their followers. It would hardly be accurate to describe him, even in younger years, as jovial with his friends; but he was perfectly companionable. Of a social and cheerful temper, he not only liked the decorous gaiety of receptions and public entertainment, but was delighted and delightful in closer and easier conversation and in the chat of familiar friends. His reminiscences of men are said to have been full of the charm which flows from a strong natural sense of humor, and a correct and vivid memory of human action and character.

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[1] The mania for election betting among public men was very curious. In the letters and memoranda printed by Mackenzie, the bets of John Van Buren and Jesse Hoyt are given in detail. They ranged from $5000 to $50; from "three cases of champagne" or "two bales of cotton," to "boots, $7," or "a ham, $3." They were made with the younger Alexander Hamilton, James Watson Webb, Moses H. Grinnell, John A. King, George F. Talman, Dudley Selden, and other notable men of the time.

There are many apocryphal stories of Van Buren's craft or cunning or selfishness in politics. It is a curious appreciation with which reputable historians have received such stories from irresponsible or anonymous sources; for they deserve as little credence as those told of Lincoln's frivolity or indecency. To them all may not only be pleaded the absence of any proof deserving respect, but they are refuted by positive proof, such as from earliest times has been deemed the best which private character can in its own behalf offer to history. In politics Van Buren enjoyed as much strong and constant friendship as he encountered strong and constant hatred. Nothing points more surely to the essential soundness of life and the generosity of a public man than the near and long-continued friendship of other able, upright, and honorably ambitious men, It was an extraordinary measure in which Van Buren enjoyed friendship of this quality. With all the light upon his character, Jackson was too shrewd to suffer long from imposition. His intimacy with Van Buren for twenty years and more was really affectionate;

his admiration for the younger statesman was profound. The explanation is both unnecessary and unworthy, which ascribes to hatred of Clay all Jackson's ardor in the canvass of 1840 or his almost pathetic anxiety for Van Buren's nomination in 1844. Their peculiar and continuous association for six years at Washington had so powerfully established Van Buren in his love and respect, that neither distant separation nor disease nor the nearer intrigues and devices of rivals could abate them. Those who were especially known as Van Buren men, those who not only stood with him in the party but who went with him out of it, were men of great talents and of the highest character. Butler's career closely accompanied Van Buren's. Both were born at Kinderhook; they were together in Hudson, in Albany, in Washington; they were together as Bucktails, as Jacksonian Democrats, as Free-soil men; they were close to one another from Butler's boyhood until, more than a half-century later, they were parted by death. To this strong-headed and sound-hearted statesman, we are told by William Allen Butler, in a fine and wellnigh sufficient eulogy, that Van Buren was the object of an affection true and steadfast, faithful through good report and evil report, loyal to its own high sense of duty and affection, tender and generous. Benton, liberal and sane a slaveholder though he was, did not approve the Wilmot Proviso, or join the Free-soil revolt. But in retirement and old age, reviewing his "Thirty Years," during twenty of which he and Van Buren had, spite of many differences, remained on closely intimate terms, he showed a deep liking for the man. Silas Wright, Azariah C. Flagg, and John A. Dix, all strong and famous characters in the public life of New York, were among the others of those steadily faithful in loyal and unwavering regard for this political and personal chief. Nor were they deceived. Jackson and Butler, Wright and Flagg and Dix, sturdy, upright, skillful, experienced men of affairs, were not held in true and lifelong friendship and admiration by the insinuating manners, the clever management, the selfish and timid aims, which make the Machiavellian caricature of Van Buren so often drawn. No American in public life has shown firmer and longer devotion to his friends. His reputation for statesmanship must doubtless rest upon the indisputable facts of his career. But for his integrity of life, for his sincerity, for his fidelity to those obligations of political, party, and personal friendship, within which lies so much of the usefulness as well as of the singular charm of public life, his relations with these men make a proof not to be questioned, and surely not to be weakened by the malicious or anonymous stories of political warfare.

For the absurdly sinister touch which his political enemies gave to his character, it is difficult now to find any just reason. It may be that the cool and imperturbable appearance of good-nature, with which he received the savage and malevolent attacks so continually made upon him, to many seemed so impossible to be real as to be sheer hypocrisy;[1] and from the fancy of such hypocrisy it was easy for the imagination to infer all the arts and characteristics of deceit. Doubtless the caution of Van Buren's political papers irritated impatient and angry opponents. They found them full of elaborate and subtle reservations, as they fancied, against future political contingencies; a charge, it ought to be remembered, which is continually made against the ripest, bravest, and greatest character in English politics of to-day or of the century.[2] Van Buren's reasoning was perfectly clear, and his style highly finished. But he had not the sort of genius which in a few phrases states and lights up a political problem. The complexity of human affairs, the danger of short and sweeping assertions, pressed upon him as he wrote; and the amplitude of his arguments, sometimes tending to prolixity, seemed timid and lawyer-like to those who disliked his conclusions.

[1] One of the latest and most important historians of the time, after saying that "nothing ruffled" Van Buren, is contented with a different explanation from mine. Professor Sumner says that "he was thick-skinned, elastic, and tough; he did not win confidence from anybody." But within another sentence or two the historian adds, as if effect did not always need adequate cause, that "as president he showed the honorable desire to have a statesmanlike and high-toned administration." (Sumner's *Jackson*, p. 451.)

[2] Here again I spoke of Gladstone, to whom, as this revised edition is going to press, the civilized world is bringing, in his death, a noble and fitting tribute.

Van Buren was not, however, an unpopular man, except as toward the last his politics were unpopular as politics out of sympathy with those of either of the great parties, and except also at the South, where he was soon suspected and afterwards hated as an anti-slavery man. He was on the whole a strong candidate at the polls. In his own State and at the Northeast his strength with the people grew more and more until his defeat by the slaveholders in 1844. Perhaps the most striking proof of this strength was the canvass of 1848, when in New York he was able to take fully half of his party with him into irregular opposition, a feat with hardly a precedent in our political history. And there was complete reciprocity. Van Buren was profoundly democratic in his convictions. He thoroughly, honestly, and without demagogy believed in the common people and in their competence to deal wisely with political difficulties. Even when his faith was tried by what he deemed the mistakes of popular elections, he still trusted to what in a famous phrase of his he called "the sober second thought of the people."[1]

However widely the student of history may differ from the politics of Van Buren's associates, the politics of Benton, Wright, Butler, and Dix, and in a later rank of his New York disciples, of Samuel J. Tilden and Sanford E. Church, it is impossible not to see that their political purpose was at the least as long and steady as their friendship for Van Buren. Love for the Union, a belief in a simple, economical, and even unheroic government, a jealousy of taking money from the people, and a scrupulous restriction upon the use of public moneys for any but public purposes, a strict limitation of federal powers, a dislike of slavery and an opposition to its extension, — these made up one of the great and fruitful political creeds of America, a creed which had ardent and hopeful apostles a half century ago, and which, save in the articles which touched slavery and are now happily obsolete, will doubtless find apostles no less ardent and hopeful a half century hence. Each of its assertions has been found in other creeds; but the entire creed with all its articles made the peculiar and powerful faith only of the Van Buren men. As history gradually sets reputations aright, the leader of these men must justly wear the laurel of a statesman who, apart from his personal and party relations and ambitions, has stood clearly for a powerful and largely triumphant cause.

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[1] This expression was not original with Van Buren, as has been supposed. It was used by Fisher Ames in 1788; and Bartlett's *Quotations* also gives a still earlier use of part of it by Matthew Henry in 1710.

No vague, no thoughtless rush of popular sentiment touched or shook this faith of Van Buren. Had there been indeed a readier emphasis about him, a heartier and quicker sympathy with the temper of the day, he would perhaps have aroused a popular enthusiasm, he might perhaps have been the hero which in fact he never was. But his intellectual perceptions did not permit the subtle self-deceit, the enthusiastic surrender to current sentiment, to which the striking figures that delight the masses of men are so apt to yield. Van Buren was steadfast from the beginning to the end, save when the war threats of slavery alarmed his old age and the sober second thought of a really patient and resolute people seemed a long time coming. Two years before his death Jefferson wrote to Van Buren an elaborate sketch of his relations with Hamilton and of our first party division. Two years before his own death Van Buren was finishing a history of the same political division written upon the theory and in the tone running through Jefferson's writings. It was composed by Van Buren in the very same temper in which he had respectfully read the weighty epistle from the great apostle of Democracy. Between the ending life at Monticello and that at Lindenwald, the political faith of the older man had been steadily followed by the younger.

The rise of the "spoils" system, and the late coming, but steadily increasing perception of its corruptions and dangers, have seriously and justly dimmed Van Buren's fame. But history should be not less indulgent to him than to other great Americans. The practical politics which he first knew had been saturated with the abuse. He did no more than adopt accustomed means of political warfare. Neither he nor other men of his time perceived the kind of evil which political proscription of men in unpolitical places must yield. They saw the undoubted rightfulness of shattering the ancient idea that in offices there was a property right. They saw but too clearly the apparent help which the powerful love of holding office brings to any political cause, and which has been used by every great minister of state the world over. Van Buren had, however, no love of patronage in itself. The use of a party as a mere agency to distribute offices would have seemed to him contemptible. In neither of the great executive places which he held, as governor, secretary of state, or president, did he put into an extreme practice the proscriptive rules which were far more rigorously adopted about him. To his personal temper not less than to his conceptions of public duty the inevitable meanness and wrong of the system were distasteful.

Chief among the elements of Van Buren's public character ought to be ranked his moral courage and the explicitness of his political utterances,— the two qualities which, curiously enough, were most angrily denied him by his enemies. His well-known Shocco Springs letter of 1832 on the tariff was indeed lacking in these qualities; but he was then not chiefly interested. There was only a secondary reponsibility upon him. But it is not too much to say that no American in responsible and public station, since the days when Washington returned from his walk among the miserable huts at Valley Forge to write to the Continental

Congress, or to face the petty imbecilities of the jealous colonists, has shown so complete a political courage as that with which Van Buren faced the crisis of 1837, or in which he wrote his famous Texas letter. Nor did any American, stirred with ambition, conscious of great powers, as was this captain of politicians, and bringing all his political fortunes, as he must do, to the risks of universal suffrage, ever meet living issues dangerously dividing men ready to vote for him if he would but remain quiet, with clearer or more decided answers than did Van Buren in his Sherrod Williams letter of 1836 and in most of his chief public utterances from that year until 1844. The courtesies of his manner, his failure in trenchant brevity, and even the almost complete absence of invective or extravagance from his papers or speeches, have obscured these capital virtues of his character. He saw too many dangers; and he sometimes made it too clear that he saw them. But upon legitimate issues he was among the least timid and the most explicit of great Americans. No president of ours has in office been more courageous or more direct.

It is perhaps an interesting, it is at least a harmless speculation, to look for Van Buren's place of honor in the varied succession of men who have reached the first office, though not always the first place, in American public life. Every student will be powerfully, even when unconsciously, influenced in this judgment by the measure of strength or beneficence he accords to different political tendencies. With this warning the present writer will, however, venture upon an opinion.

Van Buren very clearly does not belong among the mediocrities or accidents of the White House, — among Monroe, Harrison, Tyler, Polk, Taylor, Fillmore, and Pierce, not to meddle with the years since the civil war whose party disputes are still part of contemporary politics. Van Buren reached the presidency by political abilities and public services of the first order, as the most distinguished active member of his party, and with a universal popular recognition for years before his promotion that he was among the three or four Americans from whom a president would be naturally chosen. Buchanan's experience in public life was perhaps as great as Van Buren's, and his political skill and distinction made his accession to the presidency by no means unworthy. But he never led, he never stood for a cause; he never led men; he was never chief in his party; and in his great office he sank with timidity before the slaveholding aggressors, as they strove with vengeance to suppress freedom in Kansas, and before the menaces and open plunderings of disunion. Van Buren showed no such timidity in a place of equal difficulty.

Jackson stands in a rank by himself. He had a stronger and more vivid personality than Van Buren. But useful as he was to the creation of a powerful sentiment for union and of a hostility to the schemes of a paternal government, it is clear that in those qualities of steady wisdom, foresight, patience, which of right belong to the chief magistracy of a republic, he was far inferior to his less picturesque and less forceful successor. The first Adams, a man of very superior parts, competent and singularly patriotic, was deep in too many personal collisions within and without his party, and his presidency incurred too complete and lasting, and it must be added, too just a popular condemnation, to permit it high rank, though very certainly he belonged among neither the mediocrities nor the accidents of the White House.

If to the highest rank of American presidents be assigned Washington, and if after him in it come Jefferson and perhaps Lincoln (though more than a quarter of a century must go to make the enduring measure of his fame), the second rank would seem to include Madison, the younger Adams, and Van Buren. Between the first and the last of these, the second of them, as has been said, saw much resemblance. But if Madison had a mellower mind, more obedient to the exigencies of the time and of a wider scholarship, Van Buren had a firmer and more direct courage, a steadier loyalty to his political creed, and far greater resolution and efficiency in the performance of executive duties. If one were to imitate Plutarch in behalf of John Quincy Adams and Van Buren, he would need largely to compare their rival political creeds. But leaving these, it will not be unjust to say that in virile and indomitable continuance of moral purpose after official power had let go its trammels, and when the harassments and feebleness of age were inexorable, and though the heavens were to fall, the younger Adams was the greater; that in executive success they were closely together in a high rank; but that in skill and power of political leadership, in breadth of political purpose, in freedom from political vagaries, in personal generosity and political loyalty, Van Buren was easily the greater man.

Van Buren did not have the massive and forcible eloquence of Webster, or the more captivating though fleeting speech of Clay, or the delightful warmth of the latter's leadership, or the strength and glory which their very persons and careers gave to American nationality. But in the persistent and fruitful adherence to a political creed fitted to the time and to the genius of the American people, in that noble art which gathers and binds to one another and to a creed the elements of a political party, the art which disciplines and guides the party, when formed, to clear and definite purposes, without wavering and without weakness or demagogy, Van Buren was a greater master than either of those men, in many things more interesting as they were. In this exalted art of the politician, this consummate art of the statesman, Van Buren was close to the greatest of American party leaders, close to Jefferson and to Hamilton.

In his very last years the stir and rumbling of war left Van Buren in quiet recollection and anxious loyalty at Lindenwald. As his growing illness now and then spared him moments of ease, his mind must sometimes have turned back to the steps of his career, senator of his State, senator of the United States, governor, first cabinet minister, foreign envoy, vice-president, and president. There must again have sounded in his ears the hardly remembered jargon of Lewisites and Burrites, Clintonians and Livingstonians, Republicans and Federalists, Bucktails and Jacksonians and National Republicans, Democrats and Whigs, Loco-focos and Conservatives, Barnburners and Hunkers. There must rapidly though dimly have shifted before him the long series of his struggles, — struggles over the second war with England, over internal improvements, the Bank, nullification, the divorce of bank and state, the resistance to slavery extension. Through them all there had run, and this at least his memory clearly recalled, the one strong faith of his politics and statesmanship. In all his labors of office, in all his multifarious strifes, he never faltered in upholding the Union. But not less firmly would this true disciple of Jefferson restrain the activities of the federal government. Whatever wisdom, whatever integrity of purpose might belong to ministers and legislators at Washington, — though the strength of the United States might be theirs, and though they were panoplied in the august prestige rightly ascribed by American patriotism to that sovereign title of our nation, — still Van Buren was resolute that they should not do for the people what the States or the people themselves could do as well. To his eyes there was clear and undimmed from the beginning to the close of his career, the idea of government as an instrument of useful public service, rather than an object of superstitious veneration, the idea but two years after his death clothed with memorable words by a master in brief speech, the democratic idea of a "government of the people, by the people, for the people."

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